

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

Adam Steele, Brittany Montrois, and Joseph
Henchman, on behalf of themselves and all others
similarly situated,

Plaintiffs,

v.

United States of America,

Defendant.

Case No. 14-cv-01523-RCL

JOINT STIPULATION REGARDING MOTION TO AMEND COMPLAINT [ECF 133]

On September 30, 2020, Plaintiffs' co-counsel Allen Buckley filed a Motion to Amend Complaint. ECF 133. After the filing, co-counsel Motley Rice LLC requested that the Court decline to address the motion. ECF 135. On October 8, 2020, the parties filed a Joint Motion for Extension of Time requesting that the Court extend the United States' time to respond to Attorney Buckley's Motion to Amend Complaint. ECF 137. In support of this request, the parties represented to the Court that "the parties are currently discussing whether they can resolve or at least narrow their disputes regarding this motion." *Id.* The Court granted the motion on October 9, 2020. ECF 138.

Since that time, the parties have engaged in several productive meet-and-confers, and have significantly narrowed the issues in dispute to two discrete provisions (relating to renewal of PTINs) of the attached proposed Second Amended Complaint¹.

In light of these discussions, the parties stipulate and agree as follows:

¹The attached proposed Second Amended Complaint reflects the discussions of the parties and is a substitute for the proposed Second Amended Complaint previously submitted by Attorney Buckley. ECF 133-1, 133-2. Mr. Buckley has commented on and agreed to the terms of this submission.

1. Pursuant to Fed. R. Civ. P. 15(a)(2), the United States consents to the changes marked in redline on the attached proposed Second Amended Complaint.
2. The United States does not consent to the amendments proposed in Paragraph 50 and Prayer for Relief 6 of the attached proposed Second Amended Complaint. These provisions are marked in blue and highlighted with a comment indicating they are disputed.
3. The United States will file a response to the Motion to Amend Complaint regarding these two disputed provisions by October 28, 2020.
4. Class counsel withdraws its response to Attorney Buckley's Motion to Amend Complaint and requests that the Court consider the motion as applying to the enclosed revised Second Amended Complaint. (See footnote 1)

Dated: October 28, 2020

Respectfully submitted,

/s/ William H. Narwold

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CERTIFICATE OF SERVICE

I hereby certify that on October 28, 2020, I electronically filed this Joint Stipulation Regarding Motion to Amend Complaint [ECF 133] through this Court's CM/ECF system. I understand that notice of this filing will be sent to all parties by operation of the Court's electronic filing system.

/s/ William H. Narwold

William H. Narwold