IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA

| CHELSEA ELIZABETH MANNING, |) |
|----------------------------|---------------------------------------|
| Plaintiff, |) |
| v. |) Civil Action No. 1:14-cv-1609 (CKK) |
| CHUCK HAGEL, et al., |) FILED PUBLICLY |
| Defendants. |) |
| |) |

JOINT STATUS REPORT AND MOTION TO SET DEADLINES FOR SUBSEQUENT PROCEEDINGS

Pursuant to a Minute Order entered on March 10, 2015, the Court stayed proceedings in this case for seven months, and directed the parties to file a joint status report by September 28, 2015, "updating the Court on any intervening factual developments, and addressing how litigation should proceed in light of the status at that time." Minute Order of Mar. 10, 2015. The Court also scheduled a status conference for October 2, 2015. *Id*.

As described in the parties' previous joint status report, *see* ECF No. 38, Defendants are now providing Plaintiff Chelsea Manning with the following treatments for gender dysphoria: psychotherapy, including psychotherapy specific to gender dysphoria; the provision of female undergarments; the ability to wear prescribed cosmetics in her daily life at the United States Disciplinary Barracks (USDB); speech therapy; and cross-sex hormone therapy. *Id.* at 1. At the time of the last status report, Manning was not permitted to follow female hair and grooming standards that would permit her to grow longer hair. *Id.* at 2. The USDB committed to reevaluate in September 2015, however, whether Manning may be permitted to grow longer hair consistent with the USDB's safety and security concerns. *Id.* at 2.

The USDB has now completed that re-evaluation, and determined that permitting Manning to wear a feminine hairstyle is not supported by the USDB's risk assessment and potential risk mitigation measures at this time. Accordingly, the USDB has not approved Manning's ability to grow longer hair at this time.

Based on the foregoing, Plaintiff does not wish to proceed with a further stay of proceedings. The parties agree, however, that there have been significant factual developments over the past year—*i.e.*, since September 23, 2014, when Plaintiff filed her original Complaint and motion for preliminary injunction. *See* ECF Nos. 1, 2. Accordingly, the parties agree, and respectfully propose, that this case should proceed in the following manner: (1) Plaintiff's motion for preliminary injunction (ECF No. 2) should be deemed withdrawn; (2) Plaintiff should file an Amended Complaint; (3) Defendants should respond to that Amended Complaint either with an Answer or other responsive motion.

In connection with the proceedings contemplated above, the parties mutually propose the following deadlines:

October 5, 2015: Plaintiff files an Amended Complaint

November 10, 2015: Defendants file an Answer or other responsive motion

December 2, 2015: If a responsive motion, Plaintiff files her opposition

December 18, 2015: If a responsive motion, Defendants file their reply

Although the parties currently believe that the above schedule is adequate, both parties reserve the right to seek modification of the above deadlines in appropriate circumstances.

A proposed order is attached to this Joint Status Report and Motion. Unless instructed otherwise, counsel for the parties will appear at the status hearing currently scheduled for October 2, 2015.

Dated: September 28, 2015

/s/ Chase Strangio

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| Plaintiff, v. |) Civil Action No. 1:14-cv-1609 (CKK) | | |
| CHUCK HAGEL, et al., |) | | |
| Defendants. |)) | | |
| [PROPOSED] ORDER GRA | ANTING JOINT MOTION TO SET DEADLINES | | |
| Upon consideration of the par | rties' Joint Status Report and Motion to Set Deadlines, and | | |
| for good cause set forth therein, it is h | nereby: | | |
| ORDERED that the Joint Mot | tion to Set Deadlines is GRANTED; and it is | | |
| FURTHER ORDERED that I | Plaintiff's motion for preliminary injunction (ECF No. 2) is | | |
| hereby deemed withdrawn, and any | and all deadlines or proceedings related to that motion are | | |
| hereby VACATED; and it is | | | |
| FURTHER ORDERED that | the parties shall, absent further Order from this Court, | | |
| comply with the following deadlines | for subsequent proceedings in this matter: | | |
| October 5, 2015: | Plaintiff files an Amended Complaint | | |
| November 10, 2015: | Defendants file an Answer or other responsive motion | | |
| December 2, 2015: | a responsive motion, Plaintiff files her opposition | | |
| December 18, 2015: | If a responsive motion, Defendants file their reply | | |
| SO ORDERED. | | | |
| DATE: | | | |
| | Colleen Kollar-Kotelly United States District Judge | | |

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| Plaintiff, |) | |
| V. |) | Civil Action No. 1:14-cv-1609 (CKK) |
| CHUCK HAGEL, et al., |) | |
| Defendants. |) | |
| |) | |

ORDER GRANTING JOINT MOTION TO SET DEADLINES

Upon consideration of the parties' Joint Status Report and Motion to Set Deadlines, and for good cause set forth therein, it is hereby:

ORDERED that the Joint Motion to Set Deadlines is GRANTED; and it is

FURTHER ORDERED that Plaintiff's motion for preliminary injunction (ECF No. 2) is hereby deemed withdrawn, and any and all deadlines or proceedings related to that motion are hereby VACATED; and it is

FURTHER ORDERED that the parties shall, absent further Order from this Court, comply with the following deadlines for subsequent proceedings in this matter:

October 5, 2015: Plaintiff files an Amended Complaint

November 10, 2015: Defendants file an Answer or other responsive motion

December 2, 2015: If a responsive motion, Plaintiff files her opposition

December 18, 2015: If a responsive motion, Defendants file their reply

SO ORDERED.

DATE: Sept. 28, 2015

Colleen Kollar-Kotelly
United States District Judge