## UNITED STATES DISTRICT COURT DISTRICT OF MINNESOTA

LABNET INC., d/b/a Worklaw Network *et al.*.

Case No. 0:16-cv-00844-PJS/KMM

Plaintiffs,

V.

UNITED STATES DEPARTMENT OF LABOR; EDWARD HUGLER,<sup>1</sup> in his official capacity as Acting Secretary of Labor; and ANDREW AUERBACH,<sup>2</sup> in his official capacity as Acting Director, Office of Labor-Management Standards,

Defendants.

## JOINT STATUS REPORT

In its order dated December 7, 2016, the Court ordered the parties to "file a status report informing the Court of the Department of Labor's plans with respect to the Persuader Rule and the defense of this litigation" on or before March 1, 2017. Order [ECF No. 100] at 3. Defendants respectfully notify the Court that new leadership at the Department of Labor is currently in the process of arriving at the agency, and plans to continue to assess the issues raised by this litigation. Accordingly, Defendants are not presently in a position to provide a further response to the Court's questions at this time. With the Court's permission, Defendants respectfully request that they be permitted to

Pursuant to Federal Rule of Civil Procedure 25(d)(1), Edward Hugler is automatically substituted for his predecessor, Thomas E. Perez, Secretary of Labor.

<sup>&</sup>lt;sup>2</sup> Pursuant to Federal Rule of Civil Procedure 25(d)(1), Andrew Auerbach is automatically substituted for his predecessor, Michael J. Hayes, Director, Office of Labor-Management Standards.

file an additional status report on or before May 1, 2017. Plaintiffs respectfully inform the Court that they do not oppose this request by Defendants.

Dated: February 27, 2017 Respectfully submitted,

**OF COUNSEL** 

CLINTON WOLCOTT

NICHOLAS C. GEALE CHAD A. READLER

Acting Solicitor of Labor Acting Assistant Attorney General

BEVERLY I. DANKOWITZ ANDREW M. LUGER

Associate Solicitor United States Attorney for the District of

Minnesota

Counsel for Labor-Management ANN M. BILDTSEN

Programs Assistant United States Attorney

ADAM R. PULVER JUDRY L. SUBAR

Senior Attorney Assistant Director, Federal Programs Branch

Civil Rights and Labor-Management
Division /s/Daniel Riess

U.S. Department of Labor
200 Constitution Ave. NW
DANIEL RIESS (TX Bar No. 24037359)
BRIGHAM J. BOWEN (DC Bar No. 981555)

Room N-2474 United States Department of Justice Washington, DC 20210 Civil Division, Federal Programs Branch

20 Massachusetts Avenue, NW, Rm 6122

Washington, D.C. 20530 Tel: (202) 353-3098 Fax: (202) 616-8460

<u>Daniel.Riess@usdoj.gov</u> Attorneys for Defendants

Dated: February 27, 2017 Respectfully submitted,

/s/ Douglas P. Seaton

Douglas P. Seaton (MN Bar No. 127759) Thomas R. Revnew (MN Bar No. 0295620) SEATON, PETERS & REVNEW, P.A.

7300 Metro Boulevard, Suite 500

Minneapolis, MN 55439 Tel: (952) 896-1700 Fax: (952) 896-1704 <u>dseaton@seatonlaw.com</u> <u>trevnew@seatonlaw.com</u> *Attorneys for Plaintiffs* 

Eric Hemmendinger (MD Bar No. 02050) (Admitted *Pro Hac Vice* 4/7/2016) Mark J. Swerdlin (MD Bar No. 04927) (Admitted *Pro Hac Vice* 4/7/2016) Parker E. Thoeni (MD Bar No. 30250) (Admitted *Pro Hac Vice* 4/15/16) SHAWE & ROSENTHAL LLP One South Street, Suite 1800 Baltimore, MD 21202

Tel: (410) 752-1040 Fax: 410-752-8861 eh@shawe.com swerdlin@shawe.com thoeni@shawe.com Attorneys for Plaintiffs