

Katrina Eiland (SBN 275701)
Cody Wofsy (SBN 294179)
Spencer Amdur (SBN 320069)
Julie Veroff (SBN 310161)
ACLU FOUNDATION
IMMIGRANTS' RIGHTS PROJECT
39 Drumm Street
San Francisco, CA 94111
T: (415) 343-0770
F: (415) 395-0950
keiland@aclu.org
cwofsy@aclu.org
samdur@aclu.org
jveroff@aclu.org

Lee Gelernt*
Omar C. Jadwat*
Anand Balakrishnan*
ACLU FOUNDATION
IMMIGRANTS' RIGHTS PROJECT
125 Broad Street, 18th Floor
New York, NY 10004
T: (212) 549-2660
F: (212) 549-2654
lgelernt@aclu.org
ojadwat@aclu.org
abalakrishnan@aclu.org

Attorneys for Plaintiffs
(Additional counsel listed on following page)

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

East Bay Sanctuary Covenant; Al Otro Lado;
Innovation Law Lab; and Central American
Resource Center in Los Angeles,

Plaintiffs,

v.

William Barr, Attorney General, in his official
capacity; U.S. Department of Justice; James
McHenry, Director of the Executive Office for
Immigration Review, in his official capacity; the
Executive Office for Immigration Review; Kevin
McAleenan, Acting Secretary of Homeland
Security, in his official capacity; U.S. Department
of Homeland Security; Ken Cuccinelli, Acting
Director of the U.S. Citizenship and Immigration
Services, in his official capacity; U.S. Citizenship
and Immigration Services; John Sanders,
Commissioner of U.S. Customs and Border
Protection, in his official capacity; U.S. Customs
and Border Protection; Matthew Albence, Acting
Director of Immigration and Customs
Enforcement, in his official capacity; Immigration
and Customs Enforcement,

Defendants.

Case No.: 3:19-cv-04073-JST

**JOINT STATEMENT CONCERNING
DEFENDANTS' EMERGENCY
STAY MOTION**

1 Melissa Crow*
2 SOUTHERN POVERTY LAW CENTER
3 1101 17th Street, NW Suite 705
4 Washington, D.C. 20036
5 T: (202) 355-4471
6 F: (404) 221-5857
7 *melissa.crow@splcenter.org*

8 Mary Bauer*
9 SOUTHERN POVERTY LAW CENTER
10 1000 Preston Avenue
11 Charlottesville, VA 22903
12 T: (470) 606-9307
13 F: (404) 221-5857
14 *mary.bauer@splcenter.org*

15 *Attorneys for Plaintiffs*

16 **Admitted Pro hac vice*

17 ***Pro hac vice application forthcoming*

Baher Azmy**
Angelo Guisado**
Ghita Schwarz**
CENTER FOR CONSTITUTIONAL RIGHTS
666 Broadway, 7th Floor
New York, NY 10012
T: (212) 614-6464
F: (212) 614-6499
bazmy@ccrjustice.org
aguisado@ccrjustice.org
gschwarz@ccrjustice.org

Christine P. Sun (SBN 218701)
Vasudha Talla (SBN 316219)
Angélica Salceda (SBN 296152)
AMERICAN CIVIL LIBERTIES UNION
FOUNDATION OF NORTHERN
CALIFORNIA, INC.
39 Drumm Street
San Francisco, CA 94111
T: (415) 621-2493
F: (415) 255-8437
csun@aclunc.org
vtalla@aclunc.org
asalceda@aclunc.org

In light of the Supreme Court's grant of Defendants' application for stay, *see Barr v. East Bay Sanctuary Covenant*, No. 19A230 (Docket Entry Sept. 11, 2019), the parties believe there is no longer a need for the Court to adjudicate Defendants' emergency motion to stay the Court's preliminary injunction order pending appeal, ECF No. 77. The parties therefore respectfully request that Defendants' motion be deemed moot, and that Plaintiffs be relieved of their obligation to file an opposition.

Dated: September 12, 2019

Respectfully submitted,

/s/ Lee Gelernt

Lee Gelernt
American Civil Liberties Union Foundation
Immigrants' Rights Project
125 Broad St., 18th Floor
New York, NY 10004
T: (212) 549-2660
F: (212) 549-2654
lgelernt@aclu.org

Attorney for Plaintiffs

/s/ Erez Reuveni

Erez Reuveni
Assistant Director
Office of Immigration Litigation
U.S. Department of Justice, Civil Division
P.O. Box 868, Ben Franklin Station
Washington, DC 20044
T: (202) 307-4293
Erez.R.Reuveni@usdoj.gov

Attorney for Defendants