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The Honorable Jon S. Tigar

**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.

Donald J. Trump, President of the United
 States, in his official capacity; Matthew
 G. Whitaker, Acting *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; Kirstjen M. Nielsen, Secretary of
 Homeland Security, in her official
 capacity; U.S. Department of Homeland
 Security; Lee Francis Cissna, Director of
 the U.S. Citizenship and Immigration

Case No. 3:18-cv-06810

AGREED MOTION TO DEEM THE
 AMICUS CURIAE BRIEF AT DKT.
 19-1 FILED

Hearing Date: November 19, 2018,
 9:30AM

Services, in his official capacity; U.S. Citizenship and Immigration Services; Kevin K. McAleenan, Commissioner of U.S. Customs and Border Protection, in his official capacity; U.S. Customs and Border Protection; Ronald D. Vitiello, Acting Director of Immigration and Customs Enforcement, in his official capacity; Immigration and Customs Enforcement,

Defendants.

TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

PLEASE TAKE NOTICE THAT the States of Washington, Massachusetts, New York, and California (States) respectfully move the Court to deem their amicus curiae brief, in the record at Dkt. 19-1, filed on November 14, 2018. No party will be prejudiced and the Court has already granted the motion for the States to participate as amici and for leave to file the brief (Dkt. 20). Counsel for the parties have consented to this filing.

I. BACKGROUND AND ARGUMENT

On November 14, 2018—with permission from both parties—the States filed an unopposed motion to file an amicus brief in support of Plaintiffs’ motion for temporary restraining order (Dkt. 19) and attached the proposed amicus brief (Dkt. 19-1). The Court promptly granted the motion, allowing the States to formally file their amicus brief (Dkt. 20). Due to illness, the States’ counsel overlooked notice of that order on the docket, but all parties were aware of the amicus filing and had the opportunity to respond prior to today’s hearing on Plaintiffs’ motion for temporary restraining order. Thus, no party is prejudiced by the States’ request.

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II. CONCLUSION

Counsel for Defendants and Plaintiffs are aware of this motion and have no objections.

For the foregoing reasons, the *amici* States respectfully request that the amicus curiae brief at Dkt. 19-1 be deemed filed on November 14, 2018.

Respectfully submitted this 19th day of November, 2018.

ROBERT W. FERGUSON
Washington State Attorney General

/s/ Megan D. Lin

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