Jennifer Chang Newell (SBN 233033)
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
*jnewell@aclu.org*
*cwofsy@aclu.org*
*samdur@aclu.org*
*jveroff@aclu.org*

Lee Gelernt*
Judy Rabinovitz*
Omar C. Jadwat*
Celso Perez (SBN 304924)
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*
*jrabinovitz@aclu.org*
*ojadwat@aclu.org*
*cperez@aclu.org*

*Attorneys for Plaintiffs* (Additional counsel listed on following page)

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

East Bay Sanctuary Covenant, *et al.*,

*Plaintiffs,*

v.

Donald J. Trump, President of the United States, *et al.*,

*Defendants.*

Case No.: 18-cv-06810-JST

**CONSENT MOTION FOR LEAVE TO FILE OPPOSITION TO DEFENDANTS' MOTION TO STRIKE EXTRA-RECORD EVIDENCE**

Hearing: December 19, 2018, 9:30 a.m.

Melissa Crow*
SOUTHERN POVERTY LAW CENTER
1666 Connecticut Avenue NW, Suite 100
Washington, D.C. 20009
T: (202) 355-4471
F: (404) 221-5857
*melissa.crow@splcenter.org*

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

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*
*gshwartz@aclu.org*

Christine P. Sun (SBN 218701)
Vasudha Talla (SBN 316219)
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*

*Attorneys for Plaintiffs*

**Admitted pro hac vice*

Pursuant to the Court's order of November 27, 2018 the Court is set to hear argument on Plaintiffs' motion for a preliminary injunction on December 19, 2018. *See* ECF No. 50. On December 12, 2018, Defendants filed a separate Motion to Strike Extra Record Evidence, along with their preliminary injunction opposition brief. ECF No. 88.

Under the schedule agreed to by the parties, Plaintiffs' reply brief in support of their preliminary injunction motion is due on December 14, 2018. *See* ECF No. 50. In addition, in light of Defendants' request for a stay of this Court's temporary restraining order, Plaintiffs' deadline for filing an opposition to the stay request in the Supreme Court is December 17, 2018, by 9 am PT.

Pursuant to Local Rule 7.3, the ordinary time in which to file an opposition to a motion is 14 days. However, in light of the December 19 preliminary injunction hearing date, Plaintiffs respectfully request leave to file their opposition to Defendants' motion to strike on or before 5pm PT on December 17, 2018.

Plaintiffs conferred with Defendants concerning the instant motion, and they stated their position as follows: "Defendants consent to the motion, but do not waive their right to file a reply, if any."

Dated: December 13, 2018

Respectfully submitted,

/s/Lee Gelernt
Lee Gelernt
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

CERTIFICATE OF SERVICE

I hereby certify that on December 13, 2018, I electronically filed the foregoing document with the Clerk of the Court for the United States Court of for the Northern District of California by using the CM/ECF system. Counsel in the case are registered CM/ECF users and service will be accomplished by the CM/ECF system.

Dated: December 13, 2018

/s/ Lee Gelernt
Lee Gelernt
*Attorney for Plaintiffs*