

1 DENNIS J. HERRERA, State Bar #139669
 City Attorney
 2 JESSE C. SMITH, State Bar #122517
 Chief Assistant City Attorney
 3 RONALD P. FLYNN, State Bar #184186
 Chief Deputy City Attorney
 4 YVONNE R. MERÉ, State Bar #173594
 Chief of Complex and Affirmative Litigation
 5 TARA M. STEELEY, State Bar #231775
 CHRISTINE VAN AKEN, State Bar #241755
 6 MOLLIE M. LEE, State Bar #251404
 AILEEN M. McGRATH, State Bar #280846
 7 Deputy City Attorneys
 City Hall, Room 234
 8 1 Dr. Carlton B. Goodlett Place
 San Francisco, California 94102-4602
 9 Telephone: (415) 554-4748
 Facsimile: (415) 554-4715
 10 E-Mail: brittany.feitelberg@sfgov.org

11 Attorneys for Plaintiff
 CITY AND COUNTY OF SAN FRANCISCO

14 UNITED STATES DISTRICT COURT
 15 NORTHERN DISTRICT OF CALIFORNIA

16 CITY AND COUNTY OF SAN
 FRANCISCO,
 17 Plaintiff,
 18 vs.
 19 DONALD J. TRUMP, President of the United
 20 States, UNITED STATES OF AMERICA,
 ELAINE DUKE, Acting Secretary of United
 21 States Department of Homeland Security,
 JEFFERSON B. SESSIONS III, Attorney
 22 General of the United States, DOES 1-100,
 23 Defendants.

Case No. 3:17-cv-00485 WHO

**SUPPLEMENTAL STATEMENT IN SUPPORT
 OF ADMINISTRATIVE MOTION TO
 CONSIDER WHETHER CASES SHOULD
 BE RELATED PURSUANT TO N.D. CAL.
 CIVIL L.R. 3-12(B)**

Date Filed: January 31, 2017
 Trial Date: April 23, 2018

1 City and County of San Francisco (“San Francisco”) is the sole Plaintiff in *City and County of*
2 *San Francisco v. Trump et al.*, Case No. 3:17-cv-00485-WHO (“*San Francisco v. Trump*”) and *City*
3 *and County of San Francisco v. Sessions, et. al.*, Case No. 3:17-cv-04642-SBA (“*San Francisco v.*
4 *Sessions*”) (collectively, “the Actions”).

5 On August 15, 2017, San Francisco filed an Administrative Motion to consider whether the
6 Actions should be related pursuant to Northern District of California Civil Local Rule 3-12 (“Motion
7 to Relate”).

8 On August 16, 2017, Defendants Donald. J. Trump and Jefferson B. Sessions made statements
9 underscoring that the Actions concern “substantially the same . . . transaction or event.” N.D. Cal.
10 Civil L.R. 3-12(B). Specifically, the White House issued a “Fact Sheet” titled “Donald J. Trump and
11 Attorney General Sessions Stand Up Against Lawless Sanctuary Cities.” See Declaration of Mollie M.
12 Lee in Support of Supplemental Statement In Support Of Motion to Relate at ¶ 3 and Exhibit 1. The
13 Fact Sheet explicitly links the Executive Order that San Francisco challenges in *San Francisco v.*
14 *Trump* to the new grant conditions that San Francisco challenges in *San Francisco v. Sessions*. Also on
15 August 16, 2017, Attorney General Sessions, a defendant in both Actions, made remarks that appear to
16 link the Executive Order to the new conditions. *Id.* at ¶ 4.

17 The statements were not available when San Francisco filed its initial Motion to Relate, and
18 they constitute additional facts for the Court to consider in deciding that Motion.

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20 Dated: August 17, 2017

21 DENNIS J. HERRERA
22 City Attorney

23
24 By: /s/ Mollie M. Lee
25 MOLLIE M. LEE
26 Deputy City Attorney

27 Attorneys for Plaintiff
28 CITY AND COUNTY OF SAN FRANCISCO