

1 DAVID L. ANDERSON (CABN 149604)
United States Attorney
2 SARA WINSLOW (DCBN 457643)
Chief, Civil Division
3 WENDY M. GARBERS (CABN 213208)
Assistant United States Attorney
4 ALISON E. DAW (CABN 137026)
Assistant United States Attorney

5
6 450 Golden Gate Avenue, Box 36055
San Francisco, California 94102-3495
Telephone: (415) 436-6475
7 FAX: (415) 436-7234
wendy.garbers@usdoj.gov
8

9 Attorneys for the Federal Defendants

10 UNITED STATES DISTRICT COURT
11 NORTHERN DISTRICT OF CALIFORNIA
12 SAN FRANCISCO DIVISION

13 S.A.; J.A.; A.B.; R.C., on behalf of himself and
as Guardian Ad Litem for J.C., a minor child;
14 M.C.; D.D.; G.E., on behalf of himself and as
Guardian Ad Litem for B.E., a minor child; J.F.
15 on behalf of himself and as Guardian Ad Litem
for H.F. and A.F., minor children, on behalf of
16 themselves and on behalf of a class of all
similarly situated individuals, and CASA,

17 Plaintiffs,

18 v.

19
20 DONALD J. TRUMP, in his official capacity as
President of the United States; U.S.
21 DEPARTMENT OF HOMELAND
SECURITY; U.S. CITIZENSHIP AND
22 IMMIGRATION SERVICES; U.S.
DEPARTMENT OF STATE; KIRSTJEN
23 NIELSEN, in her official capacity as Secretary
of Homeland Security; MICHAEL R.
24 POMPEO, in his official capacity as Secretary
of State; L. FRANCIS CISSNA, in his official
25 capacity as Director of U.S. Citizenship and
Immigration Services; UNITED STATES OF
26 AMERICA,

27 Defendants.
28

Case No. 18-CV-03539 LB

**[PROPOSED] STIPULATED FINAL
JUDGMENT AND ORDER FOR PERMANENT
INJUNCTION**

1 Pursuant to the Parties' Binding Memorandum of Agreement ("Agreement") (ECF 90), which
2 was subsequently adopted as an Order by this Court (ECF 91), the Parties respectfully request that the
3 Court enter the attached Stipulated Final Judgment and Order for Permanent Injunction, as contemplated
4 by the Agreement.

5
6 DATED: May 16, 2019

Respectfully submitted,

7 DAVID L. ANDERSON
United States Attorney

8 /s/ Wendy M. Garbers
9 WENDY M. GARBERS
Assistant United States Attorney

10 Attorneys for the Federal Defendants
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

1 DATED: May 16, 2019

/s/ Linda Evarts*

LINDA EVARTS (appearance *pro hac vice*)
KATHRYN C. MEYER (appearance *pro hac vice*)

MARIKO HIROSE (appearance *pro hac vice*)
INTERNATIONAL REFUGEE
ASSISTANCE PROJECT
One Battery Park Plaza, 4th Floor
New York, NY 10004

JUSTIN B. COX (appearance *pro hac vice*)
INTERNATIONAL REFUGEE
ASSISTANCE PROJECT
PO Box 170208
Atlanta, GA 30317

DANIEL B. ASIMOW
ARNOLD & PORTER KAYE SCHOLER
LLP
Three Embarcadero Center, 10th Floor
San Francisco, California 94111

JOHN A. FREEDMAN (appearance *pro hac vice*)

DAVID J. WEINER
GAELA K. GEHRING FLORES**
DANA O. CAMPOS**
MATEO MORRIS**
ARNOLD & PORTER KAYE SCHOLER
LLP
601 Massachusetts Ave., NW
Washington, DC. 20001-3743

PHILLIP A. GERACI**
SUSAN S. HU**
ARNOLD & PORTER KAYE SCHOLER
LLP
250 West 55th Street
New York, NY. 10019-9710

***Pro Hac Vice* motion forthcoming

Attorneys for Plaintiffs

23
24 **In compliance with Civil Local Rule 5-1(i)(3), the filer of this document attests under penalty of perjury that all signatories have concurred in the filing of this document.*

1 ~~[PROPOSED]~~ **STIPULATED FINAL JUDGMENT AND ORDER FOR PERMANENT**
2 **INJUNCTION**

3 Pursuant to the Parties' Binding Memorandum of Agreement ("Agreement") (ECF 90 at 3),
4 which was subsequently adopted as an Order by this Court (ECF 91), IT IS ORDERED AND
5 ADJUDGED that the Court's Order granting in part and denying in part Plaintiffs' motion for
6 preliminary injunction (ECF 77) shall become the Court's final injunction, as follows:

- 7 1. The Department of Homeland Security's ("DHS's") decision to mass-rescind conditional
8 approvals for the approximately 2,700 beneficiaries conditionally approved for parole but
9 who had not traveled to the United States is vacated.
- 10 2. DHS must continue the post-conditional-approval processing for the approximately 2,700
11 beneficiaries under the policies, guidance, and practices for processing beneficiaries that
12 it had in place before January 2017, including the procedures described in USCIS's
13 publication *Central American Minors (CAM) Parole Program: Information for*
14 *Conditionally Approved Applicants* (Exhibit 48 in the administrative record), and as
15 further explicated in USCIS's CAM Parole Project Plan (ECF 93-1). DHS is enjoined
16 from adopting any policy, procedure, or practice to not process the approximately 2,700
17 beneficiaries or to place their processing on hold en masse. Nothing in this order
18 prevents DHS from placing any beneficiary's processing on hold on an individualized
19 basis to the extent that it would do so under the policies and procedures it had in place
20 before January 2017.
- 21 3. Nothing in this order compels DHS to reach any particular outcome with respect to the
22 processing of any individual beneficiary or prevents DHS from exercising its discretion
23 with respect to the parole of any individual beneficiary. This Order does require DHS to
24 process the approximately 2,700 beneficiaries in good faith pursuant to the policies,
25 guidance, and practices it had in place prior to January 2017.

26 IT IS FURTHER ORDERED that, as set forth in the Parties' Agreement (ECF 90 at 3, 6), the
27 Court will have continuing jurisdiction to enforce this Injunction and the Parties' Agreement.

1 IT IS FURTHER ORDERED that, as set forth in the Parties' Agreement (ECF 90 at 3), each
2 party shall bear his/her/its own attorneys' fees and costs.

3
4 Dated: May 17, 2019

5 

6
7 HONORABLE LAUREL BEELER
United States Magistrate Judge