

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND
SOUTHERN DIVISION**

INTERNATIONAL REFUGEE)	
ASSISTANCE PROJECT, <i>et al.</i> ,)	
)	
Plaintiffs,)	
)	
v.)	No. 8:17-cv-00361-TDC
)	
DONALD TRUMP, in his official capacity)	
as President of the United States, <i>et al.</i> ,)	
)	
Defendants.)	

**DEFENDANTS’ RESPONSE TO PLAINTIFF
JANE DOE #2’S MOTION FOR LEAVE TO PROCEED UNDER PSEUDONYM**

Plaintiffs in this lawsuit consist of various organizations and individuals who have brought constitutional and statutory challenges against Executive Order No. 13,780, entitled “Protecting the Nation From Foreign Terrorist Entry Into the United States.” 82 Fed. Reg. 13,209 (Mar. 6, 2017). The initial Complaint in this matter included five individual plaintiffs who sought to proceed under the pseudonyms John Does #1-4 and Jane Doe #1. *See* ECF No. 1. In conjunction with the filing of their initial Complaint, Plaintiffs also filed a motion for leave to allow John Does #1-4 and Jane Doe #1 to proceed under pseudonyms. *See* ECF No. 5. Defendants did not oppose Plaintiffs’ request, which this Court granted in a memorandum opinion. *See* ECF No. 66.

Plaintiffs have now filed an Amended Complaint that drops John Doe # 1 and #3, but adds a new Plaintiff seeking to proceed under the pseudonym Jane Doe #2. *See* Amended Complaint, ECF No. 93. In conjunction with the filing of that Amended Complaint, Plaintiffs also filed a Motion for Leave for Jane Doe #2 to Proceed Under a Pseudonym. *See* ECF No. 90.

At this time, Defendants do not oppose Plaintiff Jane Doe's Motion for Leave to Proceed Under a Pseudonym. However, Defendants reserve the right at a future date either to request that the Court enter a protective order, or to move to unseal the identities of one or more of the pseudonymous Plaintiffs. In that regard, Plaintiffs' motion specifically notes that, "if the government can later articulate and substantiate a need for particularized information about the Doe Plaintiffs, the Court can consider at that stage whether a different balance should be struck regarding the Doe Plaintiffs' privacy." *Id.* at 6. While Defendants do not identify a need at this time for the pseudonymous Plaintiffs to reveal their identity or otherwise be publicly disclosed, future litigation events may require this Court to revisit the issue.

Dated: March 13, 2017

Respectfully submitted,

CHAD A. READLER
Acting Assistant Attorney General

ROD J. ROSENSTEIN
United States Attorney

JENNIFER D. RICKETTS
Director, Federal Programs Branch

JOHN R. TYLER
Assistant Director, Federal Programs Branch

/s/ Arjun Garg
ARJUN GARG (Bar No. 806537)
DANIEL SCHWEI
MICHELLE R. BENNETT (Bar No. 806456)
BRAD P. ROSENBERG
Trial Attorneys
United States Department of Justice
Civil Division, Federal Programs Branch
20 Massachusetts Ave., NW
Washington, DC 20530
Tel: (202) 305-8613
Fax: (202) 616-8470

E-mail: arjun.garg@usdoj.gov
michelle.bennett@usdoj.gov

Attorneys for Defendants

CERTIFICATE OF SERVICE

I hereby certify that on March 13, 2017, I electronically filed the foregoing Defendants' Response to Plaintiff Jane Doe #2's Motion for Leave to Proceed Under Pseudonym using the Court's CM/ECF system, causing a notice of filing to be served upon all counsel of record.

/s/ Arjun Garg
ARJUN GARG