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DJ # 145-1-2979

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October 27, 2017

Ms. Patricia S. Connor
Clerk, United States Court of Appeals
for the Fourth Circuit
Lewis F. Powell Jr. Courthouse & Annex
1100 East Main Street, Suite 501
Richmond, VA 23219

RE: *IRAP v. Trump*, Nos. 17-2231, 17-2240
IAAB v. Trump, No. 17-2232
Zakzok v. Trump, No. 17-2233

Dear Ms. Connor:

For the reasons explained below, the Government writes to respectfully request that this Court consider scheduling oral argument for the above-captioned consolidated cross-appeals on December 8, 2017, immediately after the currently scheduled oral argument sitting.

This matter involves a district court's preliminary injunction barring enforcement of Section 2 of Presidential Proclamation No. 9645, "Enhancing Vetting Capabilities and Processes for Detecting Attempted Entry Into the United States by Terrorist or other Public-Safety Threats," 82 Fed. Reg. 45,161 (2017). In a pending motion, the Government has moved to expedite the merits briefing schedule in this matter, with all briefs filed by November 29, 2017, to allow this Court to hear argument during its regularly scheduled December 5-7, 2017 oral argument sitting. *See* Corrected Motion by Federal Defendants-Appellants to Expedite Merits Briefing Schedule at 4 (filed Oct. 24, 2017) (Dkt. No. 28).

In *Hawaii v. Trump* (9th Cir. No. 17-17168), the Government has appealed another district court's preliminary injunction that also bars enforcement of Section

2 of the Presidential Proclamation. Yesterday, the United States Court of Appeals for the Ninth Circuit scheduled oral argument in that case for December 6, 2017 at 2:00 p.m. PST in Seattle, Washington. In light of the Ninth Circuit's oral argument schedule, and the potential need for government counsel to travel between Seattle and Richmond, the Government respectfully requests that this Court consider holding oral argument in these consolidated cases on December 8, 2017, immediately following the currently scheduled sitting on December 5-7, 2017.

Respectfully,

/s/ Sharon Swingle

Sharon Swingle
Attorney for Appellants-Defendants

cc: All counsel via CM/ECF