

The Honorable James L. Robart

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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

JUWEIYA ABDIAZIZ AL, *et al.*,

Plaintiffs,

v.

DONALD TRUMP, President of the United
States, *et al.*,

Defendants.

Case No. 2:17-135-JLR

JOINT STATUS REPORT

1) INTRODUCTION

Pursuant to a stipulation of the parties, the Court ordered the parties to file a joint status report by July 14, 2017, on the continued appropriateness of the stay in this case. Stipulation and Order to Extend Deadline for Submitting Joint Status Report, ECF No. 97 at 3. The parties submit the following report in which they agree that it is appropriate for a stay to remain in place until the conclusion of Supreme Court proceedings in *Trump v. Hawai'i* and *Trump v. International Refugee Assistance Project*.

2) RELEVANT PROCEDURAL HISTORY

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2 Plaintiffs filed this suit on January 30, 2017, challenging Executive Order 13769. Compl.,
3 ECF No. 1. On March 10, 2017, Plaintiffs amended their complaint to add challenges to
4 Executive Order 13780, First Amended Compl., ECF No. 52. Plaintiffs filed their second motion
5 for class certification on the same day. Mot. for Class Cert., ECF No. 58.

6 On March 15, the U.S. District Court for the District of Hawai'i issued a temporary
7 restraining order (TRO) enjoining enforcement nationwide of Sections 2 and 6 of Executive
8 Order 13780. *Hawai'i v. Trump*, No. 1:17-cv-00050-DKW-KSC (D. Haw. Mar. 15, 2017), ECF
9 No. 219. Two weeks after issuing the TRO, the *Hawai'i* court converted it into a preliminary
10 injunction. *See Hawai'i*, No. 1:17-cv-00050 (D. Haw. Mar. 29, 2017), ECF No. 270.

11 On May 22, 2017, pursuant to the parites' stipulation, the Court entered an order staying
12 the proceedings, ECF No. 95, pending resolution of the appeal in *Hawai'i v. Trump*, No. 17-
13 15589 (9th Cir.). The Court further ordered the parties to file a joint status report within 10 days
14 of the Ninth Circuit's ruling in *Hawai'i* so that the Court could evaluate the continued
15 appropriateness of a stay at that time.
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17 The Ninth Circuit issued its opinion on June 12, 2017, affirming in part and vacating in
18 part the district court's entry of a preliminary injunction against enforcement of Sections 2 and 6
19 of the Executive Order. *Hawai'i v. Trump*, 859 F.3d 741 (9th Cir. 2017) (per curiam). The Ninth
20 Circuit overturned certain portions of the injunction involving internal-review procedures, but it
21 upheld the remainder based on statutory grounds. On May 25, 2017, the Fourth Circuit also
22 issued a decision in *International Refugee Assistance Project v. Trump*, 857 F.3d 554 (4th Cir.
23 2017) (en banc), affirming a preliminary injunction against enforcement of Section 2(c) of the
24 Executive Order on Establishment Clause grounds.
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1 The Defendants petitioned the Supreme Court for a writ of certiorari, applied for a stay
2 pending appeal, and requested that the *Hawai'i* case be consolidated with *Trump v. International*
3 *Refugee Assistance Project*, 857 F.3d 554 (4th Cir. 2017) (en banc). To permit the parties to be
4 informed by the Supreme Court's decisions on the certiorari petitions and stay applications, the
5 parties here agreed to an extension of time to submit their joint status report, extending the
6 deadline until July 14, 2017.

7 On June 26, 2017, the Supreme Court granted certiorari, granted the stay application in
8 part, and consolidated *Trump v. Hawai'i* and *Trump v. International Refugee Assistance Project*.
9 Nos. 16-1436 (16A1190), 16-1540 (16A1191), 2017 WL 2722580 (U.S. June 26, 2017). The
10 cases will be heard during the first session October Term 2017. *Id.* at *5.

11 **3) STATUS REPORT**

12 The parties agree that it is appropriate for a stay to remain in place until the conclusion of
13 Supreme Court proceedings in *Hawai'i* and *International Refugee Assistance Project*. The
14 parties further agree that, should circumstances change such that lifting the stay is warranted, any
15 party may move to lift the stay.
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18 DATED this 14th day of July, 2017.

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<p>1 <u>s/Matt Adams</u>, WSBA No. 28287 2 <u>s/Glenda M. Aldana Madrid</u>, WSBA No. 46987 3 <u>s/Maria Lucia Chavez</u>, WSBA No. 43826</p> <p>4 Northwest Immigrant Rights Project 5 615 Second Ave., Ste. 400 6 Seattle, WA 98104 7 (206) 957-8611 8 (206) 587-4025 (fax)</p> <p>9 <u>s/Trina Realmuto</u>, admitted <i>pro hac vice</i> 10 <u>s/Kristin Macleod-Ball</u>, admitted <i>pro hac vice</i></p> <p>11 National Immigration Project of the 12 National Lawyers Guild 13 14 Beacon Street, Suite 602 14 Boston, MA 02108 15 (617) 227-9727 16 (617) 227-5495 (fax)</p> <p>17 <u>s/Mary Kenney</u>, admitted <i>pro hac vice</i> 18 <u>s/Aaron Reichlin-Melnick</u>, admitted <i>pro hac vice</i> 19 <u>s/Melissa Crow</u>, admitted <i>pro hac vice</i></p> <p>20 American Immigration Council 21 1331 G Street, NW, Suite 200 22 Washington, D.C. 20005 23 (202) 507-7512 24 (202) 742-5619 (fax)</p>	<p>CHAD A. READLER Acting Assistant Attorney General Civil Division</p> <p>WILLIAM C. PEACHEY Director Office of Immigration Litigation District Court Section</p> <p>GISELA A. WESTWATER Assistant Director</p> <p><u>s/ Stacey I. Young</u> STACEY I. YOUNG Senior Litigation Counsel Office of Immigration Litigation District Court Section United States Department of Justice P.O. Box 868, Ben Franklin Station Washington, DC 20044 Telephone: (202) 305-7171 Facsimile: (202) 305-7000 stacey.young@usdoj.gov</p>
<p>Attorneys for Plaintiffs</p>	<p>Attorneys for Defendants</p>

CERTIFICATE OF SERVICE

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2 I hereby certify that on this date, I electronically filed the foregoing with the Clerk of
3 Court using the CM/ECF system which will send notification of such filing to the attorneys of
4 record for the Plaintiffs.

5 DATED this 14th day of July, 2017.

6
7 /s/ Stacey I. Young
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