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14 *Attorneys for Plaintiff City of San Jose*

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 16 **UNITED STATES DISTRICT COURT**
 17 **NORTHERN DISTRICT OF CALIFORNIA**
SAN JOSE DIVISION

18 THE REGENTS OF UNIVERSITY OF
 CALIFORNIA AND JANET
 19 NAPOLITANO, in her official capacity as
 20 President of the University of California,

21 Plaintiffs,

22 vs.

23 UNITED STATES DEPARTMENT OF
 HOMELAND SECURITY and ELAINE
 24 DUKE, in her official capacity as Acting
 25 Secretary of the Department of Homeland
 Security,

Case No. 17-cv-05211-WHA

**STIPULATION AND [PROPOSED] ORDER
 GRANTING ADMINISTRATIVE MOTION
 OF CITY OF SAN JOSE TO CONSIDER
 WHETHER CASES SHOULD BE
 RELATED**

San Jose Complaint Filed: September 14, 2017
 No Trial Date

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 28 **STIPULATION AND [PROPOSED] ORDER GRANTING ADMINISTRATIVE MOTION
 OF CITY OF SAN JOSE TO CONSIDER WHETHER CASES SHOULD BE RELATED;
 Case No. 17-cv-05211-WHA**

1 On September 18, 2017, non-party the City of San Jose, California, filed an
2 Administrative Motion to Consider Whether Cases Should Be Related under Civil Local Rule 3-
3 12. The Court has already related *State of California et al. v. U.S. Department of Homeland*
4 *Security, et al.*, Case No. 17-cv-05235 to this case.

5 Plaintiffs the Regents of the University of California and Janet Napolitano, the States of
6 California, Maine, Maryland, and Minnesota, and Defendants U.S. Department of Homeland
7 Security Elaine Duke, United States of America as well as non-party to this action and defendant
8 in the action filed by the City of San Jose, President Donald J. Trump, hereby stipulate to that
9 motion.¹

10 **IT IS SO STIPULATED.**

11 Dated: September 20, 2017

COTCHETT, PITRE & McCARTHY, LLP

12 OFFICE OF THE CITY ATTORNEY
13 RICHARD DOYLE
14 NORA FRIMANN

15 /s/ Nancy L. Fineman
Nancy L. Fineman

Attorneys for Non-Party City of San Jose

16 Dated: September 20, 2017

17 U.S. DEPARTMENT OF JUSTICE
18 CHAD A. READLER
Acting Assistant Attorney General
19 BRIAN J. STRETCH
Unites States Attorney
20 JENNIFER D. RICKETTS
Director, Federal Programs Branch
JOHN R. TYLER
Assistant Director, Federal Programs Branch

21 /s/ Brad P. Rosenberg
22 BRAD P. ROSENBERG
Senior Trial Counsel
23 Attorneys for Defendants and Non-Party
24 President Donald J. Trump

25 ¹ Service of process of Plaintiff's Complaint in *City of San Jose v. Trump, et al.*, No. 5:17-cv-
26 05329-SVK, has not yet been completed, and the Defendants in that case reserve their right to
object to unperfected service.

27 **STIPULATION AND [PROPOSED] ORDER GRANTING ADMINISTRATIVE MOTION**
28 **OF CITY OF SAN JOSE TO CONSIDER WHETHER CASES SHOULD BE RELATED;**
Case No. 17-cv-05211-WHA

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Dated: September 20, 2017

COVINGTON & BURLING LLP

/s/ Jeffrey M. Davidson

JEFFREY M. DAVIDSON

Attorneys for Plaintiffs The Regents of the University of California and Janet Napolitano, in her official capacity as President of the University of California

Dated: September 20, 2017

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Attorney General of California

/s/ James F. Zahradka II

JAMES F. ZAHRADKA II

Deputy Attorney General
Attorneys for Plaintiff State of California

Dated: September 20, 2017

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/s/ Susan P. Herman

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Deputy Attorney General
Attorneys for Plaintiff State of Maine

Dated: September 20, 2017

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/s/ Steven M. Sullivan

STEVEN M. SULLIVAN

Solicitor General
Attorneys for Plaintiff State of Maryland

Dated: September 20, 2017

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Attorney General
State of Minnesota

/s/ Julianna F. Passe

JULIANNA F. PASSE

Assistant Attorney General
Attorneys for Plaintiff State of Minnesota

STIPULATION AND [PROPOSED] ORDER GRANTING ADMINISTRATIVE MOTION OF CITY OF SAN JOSE TO CONSIDER WHETHER CASES SHOULD BE RELATED; Case No. 17-cv-05211-WHA

FILER'S ATTESTATION

Pursuant to Local Rule 5-1(h)(3), I attest under penalty of perjury that concurrence in the filing of the document has been obtained from each of the other Signatories.

Dated: September 20, 2017

/s/ Nancy L. Fineman
Nancy L. Fineman

STIPULATION AND [PROPOSED] ORDER GRANTING ADMINISTRATIVE MOTION OF CITY OF SAN JOSE TO CONSIDER WHETHER CASES SHOULD BE RELATED; Case No. 17-cv-05211-WHA

[PROPOSED] ORDER

Having considered the papers and pleadings on file, the Court GRANTS the Administrative Motion of City of San Jose to Consider Whether Cases Should Be Related and ORDERS that the following cases be related:

- *The Regents of the University of California et al. v. U.S. Department of Homeland Security, et al.*, Case No. 17-cv-5211
- *State of California v. U.S. Department of Homeland Security, et al.*, Case No. 17-cv-05235
- *City of San Jose v. Trump, et al.*, Case No. 5:17-cv-05329 HRL

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: _____

HONORABLE WILLIAM H. ALSUP
UNITED STATES DISTRICT JUDGE

STIPULATION AND [PROPOSED] ORDER GRANTING ADMINISTRATIVE MOTION OF CITY OF SAN JOSE TO CONSIDER WHETHER CASES SHOULD BE RELATED; Case No. 17-cv-05211-WHA