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19 **UNITED STATES DISTRICT COURT**
20 **NORTHERN DISTRICT OF CALIFORNIA**
21 **SAN FRANCISCO DIVISION**

21 THE REGENTS OF THE UNIVERSITY OF
22 CALIFORNIA and JANET NAPOLITANO,
23 in her official capacity as President of the
24 University of California,

24 Plaintiffs,

25 v.

25 U.S. DEPARTMENT OF HOMELAND
26 SECURITY and ELAINE DUKE, in her
27 official capacity as Acting Secretary of the
28 Department of Homeland Security,

27 Defendants.

CASE NO. 17-CV-05211-WHA

STIPULATION AND ~~[PROPOSED]~~
ORDER REGARDING AMICUS
BRIEFING AS MODIFIED

1 STATE OF CALIFORNIA, STATE OF
2 MAINE, STATE OF MARYLAND, and
3 STATE OF MINNESOTA,

4 Plaintiffs,

5 v.

6 U.S. DEPARTMENT OF HOMELAND
7 SECURITY, ELAINE DUKE, in her official
8 capacity as Acting Secretary of the Department
9 of Homeland Security, and the UNITED
10 STATES OF AMERICA,

11 Defendants.

CASE NO. 17-CV-05235-WHA

**STIPULATION AND ~~[PROPOSED]~~
ORDER REGARDING AMICUS
BRIEFING**

10 CITY OF SAN JOSE, a municipal corporation,

11 Plaintiffs,

12 v.

13 DONALD J. TRUMP, President of the United
14 States, in his official capacity, ELAINE C.
15 DUKE, in her official capacity, and the
16 UNITED STATES OF AMERICA,

17 Defendants.

CASE NO. 17-CV-05329-WHA

**STIPULATION AND ~~[PROPOSED]~~
ORDER REGARDING AMICUS
BRIEFING**

18 DULCE GARCIA, MIRIAM GONZALEZ
19 AVILA, SAUL JIMENEZ SUAREZ,
20 VIRIDIANA CHABOLLA MENDOZA,
21 NORMA RAMIREZ, and JIRAYUT
22 LATTHIVONGSKORN,

23 Plaintiffs,

24 v.

25 UNITED STATES OF AMERICA, DONALD
26 J. TRUMP, in his official capacity as President
27 of the United States, U.S. DEPARTMENT OF
28 HOMELAND SECURITY, and ELAINE
DUKE, in her official capacity as Acting
Secretary of Homeland Security,

Defendants.

CASE NO. 17-CV-05380-WHA

**STIPULATION AND ~~[PROPOSED]~~
ORDER REGARDING AMICUS
BRIEFING**

COUNTY OF SANTA CLARA and
SERVICE EMPLOYEES INTERNATIONAL
UNION LOCAL 521

Plaintiffs,

v.

DONALD J. TRUMP, in his official capacity
as President of the United States, JEFFERSON
BEAUREGARD SESSIONS, in his official
capacity as Attorney General of the United
States; ELAINE C. DUKE, in her official
capacity as Acting Secretary of the Department
of Homeland Security; and the U.S.
DEPARTMENT OF HOMELAND
SECURITY,

Defendants.

CASE NO. 17-CV-05813-WHA

**STIPULATION AND ~~[PROPOSED]~~
ORDER REGARDING AMICUS
BRIEFING**

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1 Plaintiffs The Regents of the University of California, Janet Napolitano, in her official
2 capacity as President of the University of California, the States of California, Maine, Maryland,
3 and Minnesota, Dulce Garcia, Miriam Gonzalez Avila, Saul Jimenez Suarez, Viridiana Chabolla
4 Mendoza, Norma Ramirez, Jirayut Lathivongskorn, City of San Jose, County of Santa Clara and
5 Service Employees International Union Local 521, and Defendants United States Department of
6 Homeland Security, Acting Secretary of Homeland Security Elaine Duke in her official capacity,
7 United States of America, President Donald J. Trump in his official capacity, and Attorney General
8 Jefferson Beauregard Sessions in his official capacity in each of the five above referenced cases
9 stipulate as follows:

10 WHEREAS each party expects that there will be persons and entities who wish to file an
11 amicus brief supporting one side or the other in the motions to be filed on November 1, 2017 and
12 that some of the amici will be filing joint briefs;

13 WHEREAS the Court has limited the amicus briefs to fifteen (15) pages, which would
14 include the identity and interest of the amici;

15 WHEREAS it benefits the Court, the parties, and the public to have a procedure in place
16 before the amicus briefs are due to govern the filing of the amicus briefs;

17 THEREFORE, the parties suggest that the Court adopt the following procedure for persons
18 wishing to file an amicus brief:

19 Each person who wishes to file an amicus brief shall:

- 20 • File an administrative motion for leave to file an amicus brief, including as an
21 attachment the amicus brief;
- 22 • File all administrative motions and attached amicus briefs on the same day as the
23 brief it supports;
- 24 • Include in the administrative motion for leave: (A) a concise statement of the
25 identity of the amicus curiae; (B) the movant's interest; and (C) the reason why an
26 amicus brief is desirable and why the matters asserted are relevant to the disposition
27 of the issues before the Court;

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- Not file a proposed amicus brief in excess of fifteen (15) pages in length and the amici may not submit evidentiary material, so their briefs should include everything within their 15 pages;
- File all documents electronically through the court’s Electronic Case Filing system. That will require any attorneys signing the motions and briefs to be or become ECF Users and be assigned user IDs and passwords for access to the system. Forms and instructions can be found on the Court’s website at ecf.cand.uscourts.gov.
- ***Any attorney who is not a member of the bar of this Court must apply to appear pro hac vice in accordance with our Civil Local Rule 11-3 in order to file an amicus brief in this action.
- The Court will take the administrative motions for leave under submission and, if granted, may consider the briefs. Amici curiae will not be allowed to address the Court during the oral argument on the motions, absent further order from the Court.

IT IS SO STIPULATED.

Dated: October 25, 2017

COTCHETT, PITRE & McCARTHY, LLP

OFFICE OF THE CITY ATTORNEY
RICHARD DOYLE
NORA FRIMANN

/s/ Nancy L. Fineman
NANCY L. FINEMAN

Attorneys for Plaintiff City of San Jose

Dated: October 25, 2017

COVINGTON & BURLING LLP

/s/ Jeffrey M. Davidson
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Attorneys for Plaintiffs The Regents of the
University of California and Janet Napolitano,
in her official capacity as President of the
University of California

1 Dated: October 25, 2017

XAVIER BECERRA
Attorney General of California

2

3

/s/ James F. Zahradka II
JAMES F. ZAHRADKA II
Deputy Attorney General
Attorneys for Plaintiff State of California

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6 Dated: October 25, 2017

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Attorney General of Maine

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/s/ Susan P. Herman
SUSAN P. HERMAN
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Attorneys for Plaintiff State of Maine

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11 Dated: October 25, 2017

BRIAN E. FROSH
Attorney General of Maryland

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/s/ Steven M. Sullivan
STEVEN M. SULLIVAN
Solicitor General
Attorneys for Plaintiff State of Maryland

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16 Dated: October 25, 2017

LORI SWANSON
Attorney General
State of Minnesota

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/s/ Julianna F. Passe
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Assistant Attorney General
Attorneys for Plaintiff State of Minnesota

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21 Dated: October 25, 2017

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/s/ Ethan Dettmer
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26 Dated: October 25, 2017

ALTSHULER BERZON LLP

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/s/ Jonathan Weissglass
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Attorneys for Plaintiffs County of Santa Clara
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Local 521

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Dated: October 25, 2017

OFFICE OF THE COUNTY COUNSEL
COUNTY OF SANTA CLARA

/s/ James R. Williams
JAMES R. WILLIAMS
Attorneys for Plaintiff County of Santa Clara

Dated: October 25, 2017

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

/s/ Brad P. Rosenberg
BRAD P. ROSENBERG
Senior Trial Counsel
Attorneys for Defendants

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: October 25, 2017

/s/ Nancy L. Fineman
Nancy L. Fineman

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~~[PROPOSED]~~ ORDER

IT IS SO ORDERED that the procedure set forth above regarding the filing of amicus briefs shall be followed by any person wishing to submit an amicus brief for the motions to be filed on November 1, 2017.

Dated: October 25, 2017.

