

**Via CM/ECF**

Ms. Patricia S. Dodszuweit
Clerk
Office of the Clerk
U.S. Court of Appeals for the Third Circuit
21400 U.S. Courthouse
601 Market Street
Philadelphia, PA 19106

July 17, 2018

RE: *Fulton, et al. v. City of Philadelphia, et al.*, No. 18-2574.

Dear Ms. Dodszuweit,

Appellants submit this update regarding their emergency motion for injunction pending appeal, filed yesterday. As reflected in that motion, Appellants had filed a parallel emergency motion for injunction pending appeal with the District Court on Friday. Yesterday, counsel left a message for the District Court's clerk requesting an update on their emergency motion and notifying the Court of Defendants' opposition to the motion.

Today, Appellants' counsel received a voice message from the District Court's clerk, indicating that the Court "appreciate[s] you notifying us of the emergency motion" but that the Court will "wait for the response and take everything under consideration and issue a ruling at an appropriate time." A response is not due until July 30.

Appellants filed their motion for a temporary restraining order and preliminary injunction on June 5, seeking relief no later than June 30. A three-day hearing concluded on June 21, and the District Court denied both motions on July 13. As stated in its motion, Catholic believes that the District Court has already made clear its views on injunctive relief and that any further motions are futile. Mot. at 1. Also as stated in the motion and declarations in the appendix, serious harms are already occurring to all Appellants and relief is urgently needed.

Accordingly, Appellants respectfully request that this Court move forward with the pending emergency motion for injunction pending appeal.



Respectfully submitted,

/s/ Mark Rienzi
Counsel for Appellants

cc: All counsel of record (by ECF notification)



CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing document was electronically filed with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to all counsel of record.

Dated: July 17, 2018

/s/ Mark Rienzi

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