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VIA CM/ECF

August 3, 2018

Ms. Molly C. Dwyer
Clerk, United States Court of Appeals for the Ninth Circuit
95 Seventh Street
San Francisco, CA 94103-1526

RE: *Regents of the University of California v. U.S. Department of Homeland Security*,
Consolidated Case No. 18-15068 (9th Cir.) (oral argument May 15, 2018,
before Judges Wardlaw, Nguyen, Owens)

Dear Ms. Dwyer:

We write to inform the Court of the recent decision in *City and County of San Francisco v. Trump*, No. 17-171478 (Aug. 1, 2018). Plaintiffs in that case sought to enjoin an executive order concerning federal grants, and the district court granted a nationwide injunction.

Although this Court agreed that the plaintiffs were entitled to injunctive relief, it remanded the case to the district court “for reexamination of the nationwide scope of the injunction,” explaining that the record before the district court was “not sufficient to support a nationwide injunction.” Slip Op. 32, 34. In so doing, this Court reaffirmed the “general rule” that relief “must be narrowly tailored to remedy the specific harm shown” to the plaintiffs “[w]here relief can be structured on an individual basis,” and that it is therefore appropriate to grant nationwide relief at most in “exceptional cases” where nationwide relief is “necessary” to provide complete relief to the parties before the court. Slip Op. 34. To do otherwise, as this Court explained, “would stymie novel legal challenges and robust debate.” Slip Op. 34. The Court affirmed the injunction’s application beyond the two plaintiff counties only insofar as it applied to the State of California, noting that the plaintiff counties had

produced record evidence that a denial of grants to the State would injure their own budgets. Slip Op. 35.

For the reasons explained in the government's briefs (Opening Br. 48-56; Response and Reply Br. 43-50), and those given in this Court's decision in *City and County of San Francisco*, the district court's nationwide injunction in this case is not necessary to redress plaintiffs' own injuries—especially since the entity plaintiffs' injuries are not cognizable at all—and thus at a minimum should be vacated.

We again respectfully request that this Court rule expeditiously.

Sincerely,

s/ Abby C. Wright

Abby C. Wright

Attorney

cc: all counsel (via CM/ECF)

CERTIFICATE OF SERVICE

I hereby certify that on August 3, 2018, I electronically filed the foregoing with the Clerk of the Court for the United States Court of Appeals for the Ninth Circuit by using the appellate CM/ECF system. Participants in the case are registered CM/ECF users, and service will be accomplished by the appellate CM/ECF system.

s/ Abby C. Wright

ABBY C. WRIGHT