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 13 **UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**  
 14 **SAN FRANCISCO DIVISION**

15 THE REGENTS OF THE UNIVERSITY OF  
 16 CALIFORNIA and JANET NAPOLITANO,  
 in her official capacity as President of the  
 17 University of California,

18 Plaintiffs,

19 v.

20 U.S. DEPARTMENT OF HOMELAND  
 SECURITY and ALEJANDRO N.  
 21 MAYORKAS, in his official capacity as  
 Secretary of Homeland Security,

22 Defendants.<sup>1</sup>

CASE NO. 17-CV-05211-WHA  
 CASE NO. 17-CV-05325-WHA  
 CASE NO. 17-CV-05329-WHA  
 CASE NO. 17-CV-05380-WHA  
 CASE NO. 17-CV-05813-WHA

**JOINT STATUS REPORT**

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 28 <sup>1</sup> Pursuant to Federal Rule of Civil Procedure 25(d), Secretary of Homeland Security Alejandro M. Mayorkas is automatically substituted as a Defendant in his official capacity for his predecessor, former Acting Secretary of Homeland Security David Pekoske.

1 As explained in the parties' previous filings, *see* ECF Nos. 315, 318, on January 20, 2021,  
2 President Biden issued a memorandum entitled "Preserving and Fortifying Deferred Action for  
3 Childhood Arrivals (DACA)." 86 Fed. Reg. 7053 (Jan. 25, 2021). In that memorandum, the  
4 President instructed the Secretary of Homeland Security, in consultation with the Attorney  
5 General, to "take all actions he deems appropriate, consistent with applicable law, to preserve and  
6 fortify DACA." *Id.* at 7053.

7 Consistent with that Presidential Memorandum, the Department of Homeland Security has  
8 publicly stated that it intends to issue a Notice of Proposed Rulemaking proposing a new regulation  
9 concerning DACA. *Statement by Homeland Security Secretary Mayorkas on DACA* (Mar. 26,  
10 2021), [https://www.dhs.gov/news/2021/03/26/statement-homeland-security-secretary-mayorkas-](https://www.dhs.gov/news/2021/03/26/statement-homeland-security-secretary-mayorkas-daca)  
11 [daca](https://www.dhs.gov/news/2021/03/26/statement-homeland-security-secretary-mayorkas-daca). The United States has also announced its position that DACA is lawful. *See* Suppl. Br.,  
12 *Texas v. United States*, No. 1:18-cv-68 (S.D. Tex. Apr. 9, 2021), ECF No. 569.

13 Pursuant to the Court's March 23, 2021 Order, ECF No. 319, the parties will file another  
14 joint status report on or before July 23, 2021, and then every 60 days thereafter.

1 Dated: May 24, 2021

Respectfully submitted,

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