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**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA**

East Bay Sanctuary Covenant; Al Otro Lado;  
Innovation Law Lab; and Central American  
Resource Center in Los Angeles,

*Plaintiffs,*

v.

Donald J. Trump, President of the United States, in  
his official capacity; Matthew G. Whitaker, Acting  
Attorney General, in his official capacity; U.S.  
Department of Justice; James McHenry, Director  
of the Executive Office for Immigration Review,  
in his official capacity; the Executive Office for  
Immigration Review; Kirstjen M. Nielsen,  
Secretary of Homeland Security, in her official  
capacity; U.S. Department of Homeland Security;  
Lee Francis Cissna, Director of the U.S.  
Citizenship and Immigration Services, in his  
official capacity; U.S. Citizenship and  
Immigration Services; Kevin K. McAleenan,  
Commissioner of U.S. Customs and Border  
Protection, in his official capacity; U.S. Customs  
and Border Protection; Ronald D. Vitiello, Acting  
Director of Immigration and Customs  
Enforcement, in his official capacity; Immigration  
and Customs Enforcement,

*Defendants.*

Case No.: 18-cv-06810

**[PROPOSED ] TEMPORARY  
RESTRAINING ORDER**

**[IMMIGRATION ACTION]**

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12 *Attorneys for Plaintiffs*

13 *\*Pro hac vice application forthcoming*  
14 *\*\*Application for admission forthcoming*  
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1 Plaintiffs’ application for a Temporary Restraining Order came before this Court for  
2 consideration on November \_\_, 2018. Upon consideration of the application, and for good cause  
3 shown, IT IS HEREBY ORDERED as follows:

4 **Temporary Restraining Order**

5 The Court finds that Plaintiffs have demonstrated a substantial likelihood of success on the  
6 merits of their claims that Defendants’ Interim Final Rule of November 8, 2018, and Presidential  
7 Proclamation of November 9, 2018, are in violation of (1) the Immigration and Nationality Act, and  
8 (2) the Administrative Procedure Act. The Court further finds that Defendants’ conduct as alleged  
9 above has caused and, absent the requested relief, will continue to cause irreparable harm to  
10 Plaintiffs. The balance of hardships tips sharply in Plaintiffs’ favor, and the public interest will be  
11 served by the injunction.  
12

13 Accordingly, IT IS HEREBY ORDERED that, pending a hearing on whether a preliminary  
14 injunction should issue, Defendants Donald J. Trump, President of the United States, in his official  
15 capacity; Matthew G. Whitaker, Acting Attorney General, in his official capacity; U.S. Department  
16 of Justice; James McHenry, Director of the Executive Office for Immigration Review, in his official  
17 capacity; the Executive Office for Immigration Review; Kirstjen M. Nielsen, Secretary of Homeland  
18 Security, in her official capacity; U.S. Department of Homeland Security; Lee Francis Cissna,  
19 Director of the U.S. Citizenship and Immigration Services, in his official capacity; U.S. Citizenship  
20 and Immigration Services; Kevin K. McAleenan, Commissioner of U.S. Customs and Border  
21 Protection, in his official capacity; U.S. Customs and Border Protection; Ronald D. Vitiello, Acting  
22 Director of Immigration and Customs Enforcement, in his official capacity; and Immigration and  
23 Customs Enforcement, and all persons acting under their direction, are enjoined from implementing  
24 or enforcing the Interim Final Rule and Presidential Proclamation.  
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**Order to Show Cause**

Defendants are ordered to show cause before this Court why a preliminary injunction should not issue enjoining Defendants and their agents from implementing or enforcing the Interim Final Rule and Presidential Proclamation. The hearing on the order to show cause will be held on \_\_\_\_\_ at \_\_\_\_\_.

Plaintiffs' moving papers shall be filed and served on or before \_\_\_\_\_.

Defendants' opposition papers shall be filed and served on or before \_\_\_\_\_.

Plaintiffs' reply papers shall be filed and served on or before \_\_\_\_\_.

Issued this \_\_\_\_ day of \_\_\_\_\_, 2018.

\_\_\_\_\_

United States District Judge

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