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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.

William Barr, 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; Kevin
McAleenan, Acting Secretary of Homeland
Security, in his official capacity; U.S. Department
of Homeland Security; Ken Cuccinelli, Acting
Director of the U.S. Citizenship and Immigration
Services, in his official capacity; U.S. Citizenship
and Immigration Services; John Sanders,
Commissioner of U.S. Customs and Border
Protection, in his official capacity; U.S. Customs
and Border Protection; Matthew Albence, Acting
Director of Immigration and Customs
Enforcement, in his official capacity; Immigration
and Customs Enforcement,

Defendants.

Case No.: 3:19-cv-04073

**[PROPOSED] TEMPORARY
RESTRAINING ORDER**

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13 **Pro hac vice application forthcoming*
14 ***Application for admission pending*
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1 Plaintiffs' application for a Temporary Restraining Order came before this Court for
2 consideration on July __, 2019. Upon consideration of the application, and for good cause shown,
3 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 July 16, 2019 violates (1) the
7 Immigration and Nationality Act, and (2) the Administrative Procedure Act. The Court further finds
8 that, absent the requested relief, the Interim Final Rule will cause irreparable harm to Plaintiffs. The
9 balance of hardships tips sharply in Plaintiffs' favor, and the public interest will be served by a
10 Temporary Restraining Order.
11

12 Accordingly, IT IS HEREBY ORDERED that, pending a hearing on whether a preliminary
13 injunction should issue, William Barr, Attorney General, in his official capacity; U.S. Department of
14 Justice; James McHenry, Director of the Executive Office for Immigration Review, in his official
15 capacity; the Executive Office for Immigration Review; Kevin K. McAleenan, Acting Secretary of
16 Homeland Security, in his official capacity; U.S. Department of Homeland Security; Kenneth T.
17 Cuccinelli, Acting Director of the U.S. Citizenship and Immigration Services, in his official
18 capacity; U.S. Citizenship and Immigration Services; John P. Sanders, Commissioner of U.S.
19 Customs and Border Protection, in his official capacity; U.S. Customs and Border Protection;
20 Matthew T. Albence, Acting Director of Immigration and Customs Enforcement, in his official
21 capacity; Immigration and Customs Enforcement; and all persons acting under their direction, are
22 enjoined from implementing or enforcing the Interim Final Rule.
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25 **Order to Show Cause**

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

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_____.

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 _____, 2019.

United States District Judge