

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

STATE OF NEW YORK, et al.,

Plaintiffs,

v.

UNITED STATES DEPARTMENT
OF HOMELAND SECURITY, et al.,

Defendants.

19 Civ. 7777 (GBD)

**PLAINTIFFS' NOTICE OF MOTION
(Fed. R. Civ. P. 65 and 5 U.S.C. § 705)**

PLEASE TAKE NOTICE that pursuant to Federal Rule of Civil Procedure 65, Plaintiffs hereby move the Court for a preliminary injunction to enjoin Defendants from implementing, applying, or taking any action under the Final Rule entitled *Inadmissibility on Public Charge Grounds*, 84 Fed. Reg. 41,292 (Aug. 14, 2019), in order to preserve the status quo until this case is decided on the merits and final judgment is entered.

Alternatively, pursuant to 5 U.S.C. § 705, Plaintiffs move for a stay postponing the effective date of the Final Rule until this case is decided on the merits and final judgment is entered.

In support of this motion, Plaintiffs rely on the accompanying Memorandum of Law, the Declaration of Elena Goldstein, the exhibits attached to that Declaration, the pleadings and papers on file in this action, and any argument and evidence that is presented on the hearing of this motion.

DATED: September 9, 2019

Respectfully submitted,

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**Application for admission pro hac vice
forthcoming*