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15 **IN THE UNITED STATES DISTRICT COURT**  
**FOR THE NORTHERN DISTRICT OF CALIFORNIA**

16 \_\_\_\_\_ )  
17 CITY AND COUNTY OF SAN FRANCISCO, )  
18 *et al.*, )

19 Plaintiffs, )

20 v. )

21 U.S. CITIZENSHIP AND IMMIGRATION )  
22 SERVICES, *et al.*, )

23 Defendants. )  
24 )  
25 )  
26 )  
27 )  
28 )

Case No. 19-cv-04717-PJH

**DEFENDANTS' RESPONSE TO  
COURT ORDER TO FILE  
DRAFT INJUNCTION**

Pursuant to the Court's Order at the October 2, 2019 Preliminary Injunction Hearing, *see*

1 ECF No. 107, Defendants hereby provide a proposed injunction for each Plaintiff in this case.<sup>1</sup> As  
2 the Court is aware, Defendants disagree that any relief is necessary or appropriate in this case. As  
3 Defendants previously explained, if the Court were to determine that relief is warranted as to some  
4 plaintiffs, such relief should be tailored to remedy only the irreparable harms established by  
5 specific plaintiffs who are within the zone of interests of the specific statutory provision. For the  
6 local government plaintiffs in this case, any injunction should also be tailored to the specific public  
7 benefit programs that those plaintiffs identify as the basis for their claimed irreparable injury.  
8 Further, the scope of any relief should ensure that the balance of equities tips in favor of granting  
9 the relief. For this reason, Defendants provide a proposed injunction as to each plaintiff  
10 individually; to the extent the Court finds that relief should be granted to more than one of the  
11 plaintiffs, Defendants propose that the Court combine the proposals for those plaintiffs into a single  
12 order.

13  
14 **City and County of San Francisco:** “Defendants are enjoined from taking the receipt of Medicaid  
15 or SNAP into account in any public charge inadmissibility determination with respect to a person  
16 served by the USCIS San Francisco Field Office, the service area of which includes the City and  
17 County of San Francisco. During the pendency of this injunction, Defendants are further enjoined  
18 from requiring applicants for adjustment of status, change in status, or extension of stay to report  
19 Medicaid or SNAP benefits received while they are residents of the County of San Francisco and  
20 this injunction is in effect. For purposes of this order, ‘receipt of Medicaid or SNAP’ is defined to  
21 include any application for Medicaid or SNAP, certification or approval for receipt of Medicaid  
22 or SNAP, or actual or future receipt of Medicaid or SNAP benefits.”

23  
24 **County of Santa Clara:** “Defendants are hereby enjoined from taking the receipt of Medicaid or  
25 SNAP into account in any public charge inadmissibility determination with respect with respect to  
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27 <sup>1</sup> Pursuant to the Court’s instruction, the parties met and conferred on October 4, 2019, regarding  
28 possible injunctions. Although the parties identified some areas of common ground, the overall  
differences between the parties’ positions proved too big a gap to bridge.

1 a person served by the USCIS San Jose Field Office, the service area of which includes the County  
2 of Santa Clara. During the pendency of this injunction, Defendants are further enjoined from  
3 requiring applicants for adjustment of status, change in status, or extension of stay to report  
4 Medicaid or SNAP benefits received while they are residents of Santa Clara County and this  
5 injunction is in effect. For purposes of this order, ‘receipt of Medicaid or SNAP’ is defined to  
6 include any application for Medicaid or SNAP, certification or approval for receipt of Medicaid  
7 or SNAP, or actual or future receipt of Medicaid or SNAP benefits.”

8 Dated: October 7, 2019

Respectfully submitted,

9  
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11 Assistant Attorney General

12 ALEXANDER K. HAAS, SBN 220932  
13 Branch Director

14 /s/ Joshua Kolsky  
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