

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

STATE OF NEW YORK, *et al.*

Plaintiffs,

v.

U.S. DEPARTMENT OF HOMELAND
SECURITY, *et al.*

Defendants.

No. 19-cv-07777 (GBD)

MOTION FOR STAY OF INJUNCTION PENDING APPEAL

Defendants respectfully move the Court to stay pending appeal the Court's order granting a nationwide preliminary injunction in this matter. For the reasons discussed in Defendants' Memorandum of Law in Support of Defendants' Motion for Stay of Injunction Pending Appeal, this Court should stay its preliminary injunction pending the resolution of the government's appeal. At a minimum, it should issue a stay limiting the effect of its injunction to Plaintiff States. Defendants conferred with Plaintiffs, who oppose this motion.

Dated: October 25, 2019

GEOFFREY S. BERMAN
United States Attorney

Respectfully submitted,

JOSEPH H. HUNT
Assistant Attorney General

ALEXANDER K. HAAS
Director, Federal Programs Branch

/s/ Joshua M. Kolsky _____

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CERTIFICATE OF SERVICE

I hereby certify that on October 25, 2019, I electronically filed a copy of the foregoing. Notice of this filing will be sent via email to all parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's CM/ECF System.

/s/ Joshua M. Kolsky
JOSHUA M. KOLSKY