

**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 TO DISMISS

Defendants respectfully move the Court to dismiss Plaintiffs' complaint in this matter pursuant to Federal Rules of Civil Procedure 12(b)(1) and 12(b)(6). For the reasons discussed in Defendants' accompanying memorandum of law, the Court should dismiss Plaintiffs' complaint in full.

Dated: February 14, 2020

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 February 14, 2020, 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