

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

MAKE THE ROAD NEW YORK, AFRICAN SERVICES COMMITTEE, CENTRAL AMERICAN REFUGEE CENTER NEW YORK, CATHOLIC CHARITIES COMMUNITY SERVICES (ARCHDIOCESE OF NEW YORK), CATHOLIC LEGAL IMMIGRATION NETWORK, INC., ALICIA DOE, BRENDA DOE, CARL DOE, DIANA DOE, and ERIC DOE,

Plaintiffs,

- against -

MICHAEL POMPEO, in his official capacity as Secretary of State; the UNITED STATES DEPARTMENT OF STATE; DONALD TRUMP, in his official capacity as President of the United States; ALEX AZAR, in his official capacity as Secretary of the Department of Health and Human Services; and the UNITED STATES DEPARTMENT OF HEALTH & HUMAN SERVICES

Defendants.

Case No. 1:19-cv-11633-GBD

NOTICE OF MOTION

PLEASE TAKE NOTICE that pursuant to Federal Rule of Civil Procedure 65 and 5 U.S.C. § 705, and upon the Memorandum of Law in Support of Plaintiffs' Motion for a Preliminary Injunction, the accompanying Declaration of Andrew J. Ehrlich, and the exhibits annexed thereto, plaintiffs by their undersigned attorneys will move this Court, on a date and at a time to be determined by the Court, at Courtroom 11A, Daniel Patrick Moynihan United States Courthouse, 500 Pearl St., New York, NY 10007-1312, for an order, pending a final judgment in this action, preliminarily enjoining Defendants' (i) application of the revisions published on January 3, 2018 to the public charge guidelines in the Department of State's Foreign Affairs Manual, 9 FAM 302.8-2, (ii) adoption of the Interim Final Rule, 84 Fed. Reg. 55,011 (Published

Oct. 11, 2019), as a final rule, and (iii) implementation of the “Presidential Proclamation Suspending the Entry of Immigrants Who Will Financially Burden the Health Care System,” 84 Fed. Reg. 53,991 (Published Oct. 9, 2019); and (iv) such additional relief as the Court considers just.

Dated: New York, New York
January 21, 2020

By: /s/ Andrew J. Ehrlich

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