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10
 11 IN THE UNITED STATES DISTRICT COURT
 12 FOR THE NORTHERN DISTRICT OF CALIFORNIA

13 **CITY AND COUNTY OF SAN FRANCISCO, et al.,**
 14 Plaintiffs,
 15 v.
 16 **U.S. CITIZENSHIP AND IMMIGRATION SERVICES,**
 17 **et al.,**
 Defendants.

Case No. 4:19-cv-04717-PJH
 Case No. 4:19-cv-04975-PJH
 Case No. 4:19-cv-04980-PJH

JOINT STATUS STATEMENT

Dept: Courtroom 3, 3rd Floor
 Judge: Hon. Phyllis Hamilton
 Trial Date: Not set.
 Action Filed: August 16, 2019

18 **STATE OF CALIFORNIA, et al.,**
 19 Plaintiffs,
 20 v.
 21 **U.S. DEPARTMENT OF HOMELAND SECURITY, et**
 22 **al.,**
 Defendants.

23 **LA CLÍNICA DE LA RAZA, et al.,**
 24 Plaintiffs,
 25 v.
 26 **U.S. DEPARTMENT OF HOMELAND SECURITY, et**
 27 **al.,**
 Defendants.

1 The parties respectfully submit this Joint Status Statement pursuant to the Court’s May 26,
2 2021 Order staying the three above-captioned matters. In that Order, the Court directed the
3 parties to file a joint status statement within 14 days of the U.S. Supreme Court’s disposition of a
4 motion filed by Arizona and twelve other States to intervene directly in the Supreme Court for the
5 purpose of filing a petition for a writ of certiorari respecting the Ninth Circuit’s decision
6 affirming this Court’s preliminary injunction enjoining enforcement of the 2019 public charge
7 rule or the Northern District of Illinois’s disposition of a motion to intervene and reopen final
8 judgment, whichever is later.

9 On October 29, 2021, the Supreme Court denied the motion to intervene directly in the
10 Supreme Court. *Arizona v. City & County of San Francisco*, No. 20M81 (U.S. Oct. 29, 2021).
11 However, on the same day, the Supreme Court granted a petition for a writ of certiorari filed by
12 the same States, challenging the Ninth Circuit’s decision denying a motion to intervene in the
13 court of appeals. The Supreme Court limited the grant to Question 1 raised in the petition,
14 “Whether States with interests should be permitted to intervene to defend a rule when the United
15 States ceases to defend.” *Arizona v. City & County of San Francisco*, No. 20-1775 (U.S. Oct. 29,
16 2021). A decision in that case is expected by July 2022. In a separate case challenging the 2019
17 Rule, the Northern District of Illinois denied a motion filed by a similar group of States seeking to
18 intervene and to reopen the judgment in that matter. *Cook County v. Pecoske*, No. 19-cv-6334
19 (N.D. Ill. Aug. 17, 2021). Those States filed a notice of appeal to the Seventh Circuit on August
20 20, 2021, and filed their opening brief on November 3, 2021. *Id.*, Dkt. 287; *see also Cook County*
21 *v. Texas*, No. 21-2561, Dkt. 29 (7th Cir. Nov. 3, 2021). Those appellate proceedings are ongoing.

22 Given these circumstances, the parties respectfully request that the Court continue to stay
23 all proceedings in the three captioned matters and direct the parties to submit a Joint Status
24 Statement within 14 days of the Supreme Court’s disposition of matter No. 20-1775.

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1 Dated: November 12, 2021

Respectfully Submitted,

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ATTESTATION OF CONSENT TO FILE ELECTRONIC SIGNATURE

I, Sara Eisenberg, attest that I have obtained, from each of the other Signatories, their concurrence in the filing of this Joint Status Statement with their electronic signatures.

Dated: November 12, 2021

/s/ Sara Eisenberg
SARA EISENBERG