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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

CITY AND COUNTY OF SAN FRANCISCO
and COUNTY OF SANTA CLARA,

Plaintiffs,

vs.

U.S. CITIZENSHIP AND IMMIGRATION
SERVICES; DEPARTMENT OF
HOMELAND SECURITY; CHAD F. WOLF,
Acting Secretary of Homeland Security; and
KENNETH T. CUCCINELLI, in his official
capacity as Acting Director of U.S. Citizenship
and Immigration Services,

Defendants.

Case No. 4:19-cv-4717-PJH

JOINT STATUS REPORT

The parties respectfully submit this Joint Status Report pursuant to the Court's January 10, 2020 Order, ECF No. 141. In that Order, the Court stayed all proceedings in this matter pending resolution of the appeal in Ninth Circuit Case No. 19-17213. The Court also ordered that the parties submit a status report within 14 days of the Ninth Circuit Court of Appeals issuing its decision on the merits in Case No. 19-17213. *See id.*

The parties report that on December 2, 2020, the Ninth Circuit Court of Appeals issued its decision in case number 19-17213. *See City & Cty. of S.F. v. U.S. Citizenship & Immigration Servs.*, Nos. 19-17213, 19-17214, 19-35914, 2020 U.S. App. LEXIS 37602 (9th Cir. Dec. 2, 2020). In that decision, the Court of Appeals affirmed this Court's Order preliminarily enjoining the DHS rule titled "Inadmissibility on Public Charge Grounds."

Defendants are currently considering potential next steps concerning the Ninth Circuit's decision.¹ Given the possibility of further appellate activity, the parties agree, and respectfully propose to the Court, that this matter should remain stayed pending issuance of the mandate by the Court of Appeals. The parties further propose that they file a joint status report within 7 days following issuance of the mandate.

Dated: December 16, 2020

Respectfully submitted,

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¹ In analogous litigation, Defendants have filed petitions for a writ of certiorari with the U.S. Supreme Court seeking review of decisions affirming preliminary injunctions of the public charge rule by the Second and Seventh Circuits.

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