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VIA ECF

Hon. Carol Bagley Amon
Senior Judge
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, NY 11201

Re: *Darweesh v. Trump*, Case No. 1:17-cv-00480-CBA

Dear Judge Amon:

I write to seek the Court's permission to file an *amicus* brief on behalf of the Commonwealth of Massachusetts and a group of States in support of the plaintiffs' motion for injunctive relief in this case. Alternatively, pursuant to Rule 3(A) of this Court's Individual Rules, we respectfully request a pre-motion conference with the Court for leave to file such a brief.

"District Courts have broad discretion in deciding whether to accept *amicus* briefs." *Jamaica Hosp. Med. Center, Inc. v. United Health Group, Inc.*, 584 F. Supp. 2d 489, 497 (E.D.N.Y. 2008) (quoting *Concerned Area Residents for Environ. v. Southview Farm*, 834 F. Supp. 1410, 1413 (W.D.N.Y. 1993)). The Court may grant *amici* leave to file their brief if the information they offer is "timely and useful." *Andersen v. Leavitt*, 2007 WL 234672, at *2 (E.D.N.Y. Aug. 13, 2007) (quoting *Long v. Coast Resorts, Inc.*, 49 F. Supp. 2d 1177, 1178 (D. Nev. 1999)). Here, the proposed *amici* States meet those requirements.

The proposed *amici* States are significantly impacted by the Executive Order at issue in this litigation. Individuals covered by the Executive Order include, among others, persons who have previously been granted valid U.S. visas that otherwise entitle them to work, study, and travel within the proposed *amici* States. In addition to harming such individuals, the Executive Order inhibits the free exchange of information, ideas, and talent between the seven designated countries and the proposed *amici* States, including at the States' many educational institutions; harms the States' life sciences, technology, health care, finance, and other industries, as well as innumerable other small and large businesses throughout the States; and inflicts economic harm

on the States themselves through both increased costs and immediately diminished tax revenues. Our brief, if permitted, would describe these harms and offer the Court a more complete picture of the impact of the Executive Order across various economic sectors and communities.

Undersigned counsel has conferred with counsel for the parties in this matter. Plaintiffs and intervenor-plaintiff consent to the proposed *amici* States' request; defendants take no position on the request. For the foregoing reasons, we respectfully request the Court's permission to file a brief of *amici curiae*. In the alternative, we request a pre-motion conference with the Court for leave to file such a brief.

Respectfully submitted,

/s/ Jonathan B. Miller

Jonathan B. Miller
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Cc: All Counsel of Record (via ECF)