

Honorable James L. Robart

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

Juweiya Abdiaziz ALI; A.F.A., a minor;
Reema Khaled DAHMAN; G.E., a minor;
Jaffer Akhlaq HUSSAIN; Seyedehfatemeh
HAMEDANI; Olad Issa OMAR; Faduma
Olad ISSA; F.O.I., a minor; and S.O.I., a
minor; on behalf of themselves as individuals
and on behalf of others similarly situated,

Plaintiffs,

v.

Donald TRUMP, President of the United States
of America; Jefferson B. SESSIONS, Attorney
General of the United States; U.S.
DEPARTMENT OF STATE; Rex W.
TILLERSON, Secretary of State; U.S.
DEPARTMENT OF HOMELAND
SECURITY; John F. KELLY, Secretary of
Homeland Security; U.S. CITIZENSHIP AND
IMMIGRATION SERVICES; Lori
SCIALABBA, Acting Director of USCIS;
CUSTOMS AND BORDER PROTECTION;
Kevin K. McALEENAN, Acting
Commissioner of CBP; OFFICE OF THE
DIRECTOR OF NATIONAL
INTELLIGENCE; Michael DEMPSEY,
Acting Director of National Intelligence,

Defendants.

Case No.: 2:17-cv-00135-JLR

**[PROPOSED] ORDER GRANTING
PLAINTIFFS' EMERGENCY MOTION
FOR TEMPORARY RESTRAINING
ORDER AND PRELIMINARY
INJUNCTION**

1 Upon consideration of Plaintiffs' Emergency Motion for Temporary Restraining Order
2 and Preliminary Injunction, the parties' briefing, and oral argument, this Court finds that
3 Plaintiffs have demonstrated a need for an emergency temporary restraining order in this case.
4 *See Winter v. Natural Resources Defense Council, Inc.*, 555 U.S. 7, 20 (2008); *Alliance for the*
5 *Wild Rockies v. Cottrell*, 632 F.3d 1127, 1131-35 (9th Cir. 2011).
6

7 Accordingly, this Court hereby ORDERS a TEMPORARY RESTRAINING ORDER
8 providing that Defendants and all their respective officers, agents, servants, employees,
9 attorneys, and persons acting in concert of participation with them are *immediately*:

- 10 1. Enjoined and restrained from applying Sections 1(f), 2, and 3 of Executive Order
11 13780 (EO) to suspend the processing, adjudication, and/or issuance of immigrant
12 visas to Plaintiffs Juweiya Abdiaziz Ali and A.F.A., Reema Khaled Dahman and
13 G.E., Jaffer Akhlaq Hussain and Seyedehfatemeh Hamedani, Olad Issa Omar,
14 Faduma Olad Issa, F.O.I., and S.O.I., and all other proposed class members;
- 15 2. Enjoined and restrained from enforcing Sections 1(f), 2, and 3 of the EO, in so far
16 as it precludes persons approved for immigrant visas on or after March 16, 2017
17 12:01 a.m. eastern daylight time from boarding flights to the United States and
18 entering the country as lawful permanent residents;
- 19 3. Enjoined and restrained from revoking immigrant visas based on Sections 1(f), 2,
20 and 3 of the EO; and
- 21 4. Ordered to advise immigrant visa petitioners, through electronic mail or
22 otherwise, of the status of immigrant visa applications submitted by beneficiaries
23 of their petitions.

24 This temporary restraining order is granted on a nationwide basis.

25 This Court has exercised its discretion to determine that no bond shall be required and
26 that this Order shall be effective immediately.
27

28 Upon consideration of Plaintiffs' Motion for a Preliminary Injunction, the parties'
briefing, and oral argument, if any, this Court finds that Plaintiffs have demonstrated a need for
preliminary injunctive relief in this case. *See Winter v. Natural Resources Defense Council,*
Inc., 555 U.S. 7, 20 (2008); *Alliance for the Wild Rockies v. Cottrell*, 632 F.3d 1127, 1131-35
(9th Cir. 2011). The standard for issuing a preliminary injunction is the same as the standard for

1 issuing a temporary restraining order. *See New Motor Vehicle Bd. Of Cal. v. Orrin W. Fox Co.*,
2 434 U.S. 1345, 1347 n.2 (1977); *Stuhlbarg Int'l Sales Co., Inc. v. John D. Brush & Co.*, 240
3 F.3d 832, 839 n.7 (9th Cir. 2001).

4 Accordingly, it is hereby ORDERED that, pending a trial on the merits, Defendants and
5 all their respective officers, agents, servants, employees, attorneys, and persons acting in concert
6 of participation with them are:
7

- 8 5. Enjoined and restrained from applying Sections 1(f), 2, and 3 of Executive Order
9 13780 (EO) to suspend the processing, adjudication, and/or issuance of immigrant
10 visas to Plaintiffs Juweiya Abdiaziz Ali and A.F.A., Reema Khaled Dahman and
11 G.E., Jaffer Akhlaq Hussain and Seyedehfatemeh Hamedani, Olad Issa Omar,
12 Faduma Olad Issa, F.O.I., and S.O.I., and all other proposed class members;
- 13 6. Enjoined and restrained from enforcing Sections 1(f), 2, and 3 of the EO, in so far
14 as it precludes persons approved for immigrant visas on or after March 16, 2017
15 12:01 a.m. eastern daylight time from boarding flights to the United States and
16 entering the country as lawful permanent residents;
- 17 7. Enjoined and restrained from revoking immigrant visas based on Sections 1(f), 2,
18 and 3 of the EO; and
- 19 8. Ordered to advise immigrant visa petitioners, through electronic mail or
20 otherwise, of the status of immigrant visa applications submitted by beneficiaries
21 of their petitions.

22 This preliminary injunction is granted on a nationwide basis.

23 This Court has exercised its discretion to determine that no bond shall be required and
24 that this Order shall be effective immediately.

25 IT IS SO ORDERED.

26 DATED this _____ day of _____, 2017.

27 _____
28 JAMES L. ROBERT
UNITED STATES DISTRICT JUDGE

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Presented this 10th day of March, 2017, by:

s/Matt Adams

Matt Adams, WSBA No. 28287
Northwest Immigrant Rights Project
Counsel for Plaintiffs