

No. 17-1351

**IN THE
UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT**

INTERNATIONAL REFUGEE ASSISTANCE PROJECT, ET AL.,
Plaintiffs-Appellees,

v.

DONALD J. TRUMP, ET AL.,
Defendants-Appellants.

**On Appeal from the United States District Court
for the District of Maryland, No. 17-cv-00361 (Chuang, J.)**

**UNOPPOSED MOTION FOR LEAVE TO FILE
AMICUS BRIEF IN SUPPORT OF APPELLEES, IN OPPOSITION TO
APPELLANTS' MOTION FOR A STAY AND ON THE MERITS**

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April 4, 2017

**UNOPPOSED MOTION FOR LEAVE TO FILE AMICUS BRIEF IN
SUPPORT OF APPELLEES, IN OPPOSITION TO APPELLANTS’
MOTION FOR STAY AND ON THE MERITS**

On behalf of New York University (“NYU”), we seek the Court’s permission to file a brief of *amicus curiae* in support of Appellees, in opposition to Appellants’ motion for a stay and on the merits. The parties consent to the filing of the proposed *amicus* brief, which accompanies this motion.

1. NYU has an especially strong interest in this matter. As of 2016, NYU hosted more international students than any other university in the United States. International students constituted 35% of NYU’s graduate student population and 18% of its undergraduate student population. This includes approximately 120 students and ten scholars from the six countries named in the March 6, 2017 Executive Order No. 13,780 titled “Protecting the Nation from Foreign Terrorist Entry into the United States” (the “Executive Order”), which is the subject of this appeal. NYU is deeply concerned that the Executive Order will have a significant adverse impact not only on its numerous current and prospective international students and scholars, but on the ability of the University as a whole to fulfill its mission as a global educational institution for all its constituents, “fitting for all and graciously open to all.” See NYU Mission Statement, *available at* www.nyu.edu/about.

2. The proposed *amicus* brief would provide the Court with NYU's unique perspective as a global university based in New York City. Among other things, NYU intends to offer argument to this Court that in addition to unlawfully harming the University and its current students and scholars, the Executive Order will have a particular negative impact on prospective NYU students from the six Muslim-majority countries that continue to be singled out for adverse treatment, who may not be able to enroll despite their acceptance by the University. *See, e.g.*, Samantha Michaels, "I'm an Iranian Woman Whose Dream Is to Study in America. Here's My Message for Trump," Mother Jones (2017), <http://www.goo.gl/dwJxwN> (last visited March 6, 2017).

3. NYU's attached proposed brief complies with the type-volume limitation for an *amicus* brief on the merits, because it contains less than half of the 13,000 words allotted for Appellants' opening brief during the Court's initial consideration of the case on the merits and consideration of stay. *See* Fed. R. App. P. 29(a)(1), (5), 32(a)(7)(B)(i).

4. All parties consent to filing of the proposed *amicus* brief.

CONCLUSION

For the foregoing reasons, NYU respectfully requests the Court's permission to file the attached brief of *amicus curiae*.

Dated: April 4, 2017

Respectfully submitted,

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CERTIFICATE OF COMPLIANCE

This motion complies with the type-volume limits because it contains 416 words, excluding the parts exempted by Rule 32(f). This motion complies with the typeface and type-style requirements because it was prepared in a proportionally spaced typeface using Microsoft Word in 14-point Times New Roman.

April 4, 2017

/s/ Steven E. Obus
Steven E. Obus

CERTIFICATE OF SERVICE

I hereby certify that on April 4, 2017, I electronically filed the foregoing document with the Clerk of the Court for the United States Court of Appeals for the Fourth Circuit by using the appellate CM/ECF system. Participants in the case are registered CM/ECF users, and service will be accomplished by the appellate CM/ECF system.

/s/ Steven E. Obus
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