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Patricia S. Connor
Clerk of Court
United States Court of Appeals
for the Fourth Circuit
Lewis F. Powell Jr. Courthouse Annex
1100 East Main Street, Suite 501
Richmond, VA 23219-3517

November 15, 2017

Re: *International Refugee Assistance Project v. Trump*, No. 17-2231(L)

Dear Ms. Connor:

These consolidated cases are calendared for oral argument before the en banc Court on December 8, 2017. The district court enjoined the government in part from enforcing certain provisions of Proclamation 9645, "Enhancing Vetting Capabilities and Processes for Detecting Attempted Entry Into the United States by Terrorists or Other Public-Safety Threats," 82 Fed. Reg. 45,161 (Sept. 27, 2017). The government's appeal from that injunction, and motion for a stay and emergency administrative stay of the district court's order, are currently pending before this Court. We are writing to advise the court of recent developments with respect to the similar stay motion filed in a related case in the Ninth Circuit, *Hawaii v. Trump*, No. 17-17168 (9th Cir.).

The district court in *Hawaii* similarly entered a preliminary injunction restraining the government from enforcing provisions of the Proclamation. On November 13, 2017, by the attached order, the Ninth Circuit granted in part and denied in part the government's motion for a stay of the preliminary injunction. The Ninth Circuit held that the preliminary injunction "is stayed except as to 'foreign nationals who have a credible claim of a bona fide relationship with a person or entity in the United States.'"

The government respectfully requests that this Court rule expeditiously on the pending motion for stay pending appeal. In light of the Ninth Circuit's order, we intend to seek a stay from the Supreme Court soon.

s/ H. Thomas Byron III

H. THOMAS BYRON III
Attorney, Appellate Staff
United States Department of Justice

cc: Counsel of record (by cm/ecf)