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11 IN THE UNITED STATES DISTRICT COURT  
 12 FOR THE EASTERN DISTRICT OF CALIFORNIA  
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 16 **THE UNITED STATES OF AMERICA,**

Case No. 2:18-cv-00490-JAM-KJN

17 Plaintiff,

18 v.

**REQUEST FOR JUDICIAL NOTICE IN  
 SUPPORT OF DEFENDANTS' MOTION  
 TO TRANSFER VENUE TO THE  
 NORTHERN DISTRICT OF  
 CALIFORNIA**

19  
 20 **THE STATE OF CALIFORNIA; EDMUND  
 GERALD BROWN JR., Governor of  
 California, in his official capacity; and  
 21 XAVIER BECERRA, Attorney General of  
 California, in his official capacity,**

Judge: Honorable John A. Mendez  
 Action Filed: March 6, 2018

22 Defendants.  
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1 Defendants the State of California, Edmund Gerald Brown Jr., Governor of California, in  
2 his official capacity, and Xavier Becerra, Attorney General of California, in his official capacity  
3 (collectively, “Defendants”), hereby request, pursuant to Rule 201 of the Federal Rules of  
4 Evidence, that the Court take judicial notice of the following items in connection with  
5 Defendants’ Motion to Transfer Venue to the Northern District of California:

- 6 1. Exhibit A: Court Docket, *California v. Sessions, et al.*, Case No. 17-cv-4701  
7 (N.D.Cal.) (hereinafter “*California v. Sessions*”).
- 8 2. Exhibit B: First Amended Complaint (excluding exhibits), *California v. Sessions*,  
9 Dkt. No. 11.
- 10 3. Exhibit C: Plaintiff State of California’s Amended Motion for Preliminary Injunction,  
11 *California v. Sessions*, Dkt. No. 26.
- 12 4. Exhibit D: Order Denying Motion to Dismiss, *California v. Sessions*, Dkt. No. 88
- 13 5. Exhibit E: Order Denying Amended Motion for Preliminary Injunction, *California v.*  
14 *Sessions*, Dkt. No. 89.
- 15 6. Exhibit F: Excerpts of Transcript of Proceedings (Motion to Dismiss), February 28,  
16 2018, *California v. Sessions*.
- 17 7. Exhibit G: Plaintiff San Francisco’s Second Amended Complaint (excluding  
18 exhibits), *San Francisco v. Trump*, Case No. 17-cv-485 (N.D. Cal.), Dkt. No. 105.
- 19 8. Exhibit H: United States Courts, United States District Courts—National Judicial  
20 Caseload Profile, “California Northern,” available at  
21 [http://www.uscourts.gov/sites/default/files/data\\_tables/fcms\\_na\\_distprofile1231.2017](http://www.uscourts.gov/sites/default/files/data_tables/fcms_na_distprofile1231.2017.pdf)  
22 [.pdf](http://www.uscourts.gov/sites/default/files/data_tables/fcms_na_distprofile1231.2017.pdf) at 66.
- 23 9. Exhibit I: United States Courts, United States District Courts—National Judicial  
24 Caseload Profile, “California Eastern,” available at  
25 [http://www.uscourts.gov/sites/default/files/data\\_tables/fcms\\_na\\_distprofile1231.2017](http://www.uscourts.gov/sites/default/files/data_tables/fcms_na_distprofile1231.2017.pdf)  
26 [.pdf](http://www.uscourts.gov/sites/default/files/data_tables/fcms_na_distprofile1231.2017.pdf) at 67.

27 Facts subject to judicial notice include those that “can be accurately and readily determined  
28 from sources whose accuracy cannot reasonably be questioned.” Fed. R. Evid. 201(b)(2). The

1 Court “must take judicial notice if a party requests it and the court is supplied with the necessary  
2 information.” Fed. R. Evid. 201(c)(2). Courts regularly take judicial notice of “undisputed  
3 matters of public record, including documents on file in federal or state courts.” *Harris v.*  
4 *Cty. of Orange*, 682 F.3d 1126, 1131-32 (9th Cir. 2012) (internal citations omitted); *Lee v. City of*  
5 *Los Angeles*, 250 F.3d 668, 688-89 (9th Cir. 2001); *Kurtz v. Intelius, Inc.*, 2011 U.S. Dist. LEXIS  
6 101922, \*3-\*4 (E.D. Cal. Sept. 9, 2011). Exhibits A through G are court records from *California*  
7 *v. Sessions* and *San Francisco v. Trump*, both pending actions in the Northern District of  
8 California.

9 Information made publicly available by government entities, including data, is also subject  
10 to judicial notice. See *Daniels-Hall v. Nat’l Educ. Ass’n*, 629 F.3d 992, 998-99 (9th Cir. 2010);  
11 *Teixeira v. Cty. of Alameda*, 873 F.3d 670, 676 n.6 (9th Cir. 2017). Exhibits H and I are reports  
12 containing data compiled by the United States Courts, made publicly available on its website.

13 In sum, the above items meet the requirements of Rule 201(b)(2) of the Federal Rules of  
14 Evidence, and therefore, the Court must take judicial notice of them pursuant to Rule 201(c)(2) of  
15 the Federal Rules of Evidence.

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18 Dated: March 13, 2018

Respectfully Submitted,

19 XAVIER BECERRA  
20 Attorney General of California

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22 /s/Christine Chuang  
23 Christine Chuang  
24 Deputy Attorney General  
25 *Attorneys for Defendants*

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**CERTIFICATE OF SERVICE**

I hereby certify that I electronically transmitted the foregoing document using the U.S. District Court for the Eastern District of California’s Electronic Document Filing System (ECF) on March 13, 2018 and that service on all counsel of record will be accomplished by the ECF system.

/s/Christine Chuang  
Christine Chuang  
Deputy Attorney General