

1 DROR LADIN\*  
 NOOR ZAFAR\*\*  
 2 HINA SHAMSI\*  
 OMAR C. JADWAT\*  
 3 AMERICAN CIVIL LIBERTIES UNION FOUNDATION  
 125 Broad Street, 18th Floor  
 4 New York, NY 10004  
 Tel: (212) 549-7303  
 5 dladin@aclu.org  
 nzafar@aclu.org  
 6 hshamsi@aclu.org  
 ojadwat@aclu.org  
 7 \*Admitted pro hac vice  
 \*\*Application for admission pro hac vice pending

8  
 9 CECILLIA D. WANG (SBN 187782)  
 AMERICAN CIVIL LIBERTIES UNION FOUNDATION  
 39 Drumm Street  
 10 San Francisco, CA 94111  
 Tel: (415) 343-0770  
 11 cwang@aclu.org

12 SANJAY NARAYAN (SBN 183227)\*\*\*  
 GLORIA D. SMITH (SBN 200824)\*\*\*  
 13 SIERRA CLUB ENVIRONMENTAL LAW PROGRAM  
 2101 Webster Street, Suite 1300  
 14 Oakland, CA 94612  
 Tel: (415) 977-5772  
 15 sanjay.narayan@sierraclub.org  
 gloria.smith@sierraclub.org  
 16 \*\*\*Counsel for SIERRA CLUB

17 *Attorneys for non-parties SIERRA CLUB and SOUTHERN*  
 18 *BORDER COMMUNITIES COALITION (additional counsel listed on following page)*

19 **UNITED STATES DISTRICT COURT**  
 20 **NORTHERN DISTRICT OF CALIFORNIA**

21 STATE OF CALIFORNIA, et al.,

22 *Plaintiffs,*

23 v.

24 DONALD J. TRUMP, in his official capacity as  
 25 President of the United States of America, et al.,

26 *Defendants.*

Case No.: 4:19-cv-00872-HSG

**ADMINISTRATIVE MOTION TO  
 CONSIDER WHETHER CASES  
 SHOULD BE RELATED**

1 Additional counsel for non-parties Sierra Club and Southern  
2 Border Communities Coalition:

3 MOLLIE M. LEE (SBN 251404)  
4 CHRISTINE P. SUN (SBN 218701)  
5 AMERICAN CIVIL LIBERTIES UNION  
6 FOUNDATION OF NORTHERN CALIFORNIA, INC.  
7 39 Drumm Street  
8 San Francisco, CA 94111  
9 Tel: (415) 621-2493  
10 Fax: (415) 255-8437  
11 *mlee@aclunc.org*  
12 *csun@aclunc.org*

13 DAVID DONATTI\*  
14 ANDRE I. SEGURA (SBN 247681)  
15 AMERICAN CIVIL LIBERTIES UNION FOUNDATION  
16 OF TEXAS  
17 P.O. Box 8306  
18 Houston, TX 77288  
19 Tel: (713) 325-7011  
20 Fax: (713) 942-8966  
21 *ddonatti@aclutx.org*  
22 *asegura@aclutx.org*  
23 \*Admitted pro hac vice  
24  
25  
26  
27  
28

1 Pursuant to Civil L.R. 3-12, Sierra Club and Southern Border Communities Coalition  
2 respectfully provide the Court with notice of the following case in the Northern District of  
3 California: *Sierra Club and Southern Border Communities Coalition v. Trump, et al.*, No. 4:19-cv-  
4 00892-KAW (filed Feb. 19, 2019) and request that the Court consider whether the two cases should  
5 be related.

6 “An action is related to another when: (1) The actions concern substantially the same parties,  
7 property, transaction, or event; and (2) it appears likely that there will be an unduly burdensome  
8 duplication of labor and expense or conflicting results if the cases are conducted before different  
9 Judges.” N.D. Cal. Civ. L.R. 3-12(a). Under this standard, it appears that the cases are related. *Sierra*  
10 *Club* and the instant case both entail constitutional and statutory claims seeking to enjoin President  
11 Trump’s declaration of a national emergency to divert funds appropriated for other purposes to the  
12 construction of a wall at the U.S.-Mexico border and the actions of Executive Branch officials to  
13 implement that declaration. *Sierra Club* and the instant case have the following defendants in  
14 common: President Trump, Acting Secretary of Defense Patrick Shanahan, Secretary of Homeland  
15 Security Kirstjen Nielsen, and Secretary of the Treasury Steven Mnuchin.

16  
17 Dated: February 26, 2019

Respectfully submitted,

18 /s/ Cecillia D. Wang

19 Dror Ladin\*  
20 Noor Zafar\*\*  
21 Hina Shamsi\*  
22 Omar C. Jadwat\*  
23 American Civil Liberties Union Foundation  
24 125 Broad Street, 18th Floor  
25 New York, NY 10004  
26 Tel: (212) 549-7303  
27 Fax: (212) 549-2564  
28 dladin@aclu.org  
nzafar@aclu.org  
hshamsi@aclu.org  
ojadwat@aclu.org

Cecillia D. Wang (SBN 187782)  
American Civil Liberties Union Foundation  
39 Drumm Street  
San Francisco, CA 94111  
Tel: (415) 343-0770

1 Fax: (415) 395-0950  
2 cwang@aclu.org

3 Sanjay Narayan (SBN 183227)\*\*\*  
4 Gloria D. Smith (SBN 200824)\*\*\*  
5 Sierra Club Environmental Law Program  
6 2101 Webster Street, Suite 1300  
7 Oakland, CA 94612  
8 Tel: (415) 977-5772  
9 sanjay.narayan@sierraclub.org  
10 gloria.smith@sierraclub.org

11 Mollie M. Lee (SBN 251404)  
12 Christine P. Sun (SBN 218701)  
13 American Civil Liberties Union Foundation of  
14 Northern California, Inc.  
15 39 Drumm Street  
16 San Francisco, CA 94111  
17 Tel: (415) 621-2493  
18 Fax: (415) 255-8437  
19 mlee@aclunc.org  
20 csun@aclunc.org

21 David Donatti\*  
22 Andre I. Segura (SBN 247681)  
23 American Civil Liberties Union Foundation  
24 of Texas  
25 P.O. Box 8306  
26 Houston, TX 77288  
27 Tel: (713) 325-7011  
28 Fax: (713) 942-8966  
ddonatti@aclutx.org  
asegura@aclutx.org

Counsel for non-parties Sierra Club and Southern  
Border Communities Coalition

\*Admitted pro hac vice  
\*\*Application for admission pro hac vice pending  
\*\*\*Counsel for Sierra Club