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11 UNITED STATES DISTRICT COURT
 12 NORTHERN DISTRICT OF CALIFORNIA
 13 OAKLAND DIVISION

14
 15 STATE OF CALIFORNIA, et al.,
 16 Plaintiffs,
 17 vs.
 18 DONALD J. TRUMP, President of the
 United States, in his official capacity, et al.,
 19 Defendants.

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

**CONSENT MOTION OF FORMER
 U.S. GOVERNMENT OFFICIALS FOR
 LEAVE TO FILE MEMORANDUM AS
 AMICI CURIAE IN SUPPORT OF
 PLAINTIFFS' MOTION FOR A
 PRELIMINARY INJUNCTION**

Judge: Hon. Haywood S. Gilliam, Jr.
 P.I. Hearing Date: May 17, 2019
 Time: 10:00 a.m.
 Courtroom: 2, 4th Floor

1 **TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:**

2 Former U.S. Government Officials respectfully move for leave to file the attached brief as
3 *amici curiae* in the above-captioned matter, in support of Plaintiffs’ Motion for a Preliminary
4 Injunction. *Amici* are listed in the Appendix to the attached brief. Counsel for Plaintiffs and
5 Defendants have consented to *Amici*’s proposed filing.

6 **STATEMENT OF INTEREST AND ARGUMENT**

7 *Amici curiae* are sixty-two former officials in the U.S. government who have worked on
8 national security and homeland security issues from the White House as well as agencies across
9 the Executive Branch. They have served in senior leadership roles in administrations of both
10 major political parties, and collectively they have devoted a great many decades to protecting the
11 security interests of the United States. They have held the highest security clearances, and
12 participated in the highest levels of policy deliberations on a broad range of issues. These include:
13 immigration, border security, counterterrorism, military operations, and our nation’s relationship
14 with other countries, including those south of the U.S. border.

15 *Amici* respectfully submit this brief because, in their professional opinion, there is no
16 factual basis for the declaration of a national emergency for the purpose of circumventing the
17 appropriations process and reprogramming billions of dollars in funding to construct a wall at the
18 southern border, as directed by the Presidential Proclamation of February 15, 2019. *Amici* submit
19 that their brief will be helpful to the Court, given *Amici*’s unique and directly relevant perspective
20 of having lived and worked through national emergencies across Presidential administrations over
21 a period of decades. The points in this brief are an updated version of those in a declaration that
22 most of the *amici* joined and that was submitted into the Congressional Record on February 25,
23 2019.

24 **CONCLUSION**

25 For the foregoing reasons, the Consent Motion should be granted, and *Amici*’s attached
26 memorandum should be filed with the Court.

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1 Dated: May 2, 2019

Respectfully Submitted,

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3 By: /s/ Kathleen R. Hartnett

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