

DOUGLAS S. CHIN (Bar No. 6465)  
 Attorney General of the State of Hawai‘i  
 DEPARTMENT OF THE ATTORNEY  
 GENERAL, STATE OF HAWAI‘I  
 425 Queen Street  
 Honolulu, HI 96813  
 Telephone: (808) 586-1500  
 Fax: (808) 586-1239

*Attorneys for Plaintiff, State of Hawai‘i*

NEAL K. KATYAL\*  
 HOGAN LOVELLS US LLP  
 555 Thirteenth Street NW  
 Washington, DC 20004  
 Telephone: (202) 637-5600  
 Fax: (202) 637-5910

*\*Admitted Pro Hac Vice*

*Attorneys for Plaintiffs, State of  
 Hawai‘i and Ismail Elshikh*

(See Next Page For Additional Counsel)

**IN THE UNITED STATES DISTRICT COURT  
 FOR THE DISTRICT OF HAWAI‘I**

STATE OF HAWAI‘I and ISMAIL ELSHIKH,  
 Plaintiffs,

v.

DONALD J. TRUMP, in his official capacity as  
 President of the United States; U.S.  
 DEPARTMENT OF HOMELAND  
 SECURITY; JOHN F. KELLY, in his official  
 capacity as Secretary of Homeland Security;  
 U.S. DEPARTMENT OF STATE; REX  
 TILLERSON, in his official capacity as  
 Secretary of State; and the UNITED STATES  
 OF AMERICA,

Defendants.

Civil Action No. 1:17-cv-00050-  
 DKW-KSC

**DECLARATION OF NEAL K.  
 KATYAL IN SUPPORT OF  
 PLAINTIFFS’ MOTION TO  
 CONVERT TEMPORARY  
 RESTRAINING ORDER TO  
 A PRELIMINARY  
 INJUNCTION; EXHIBITS A,  
 B, AND C IN SUPPORT OF  
 PLAINTIFFS’ MOTION TO  
 CONVERT TEMPORARY  
 RESTRAINING ORDER TO  
 A PRELIMINARY  
 INJUNCTION;  
 CERTIFICATE OF  
 SERVICE**

**ADDITIONAL COUNSEL**

CLYDE J. WADSWORTH (Bar No. 8495)  
Solicitor General of the State of Hawai‘i  
DEIRDRE MARIE-IHA (Bar No. 7923)  
DONNA H. KALAMA (Bar No. 6051)  
KIMBERLY T. GUIDRY (Bar No. 7813)  
ROBERT T. NAKATSUJI (Bar No. 6743)  
Deputy Attorneys General  
DEPARTMENT OF THE ATTORNEY  
GENERAL, STATE OF HAWAI‘I  
425 Queen Street  
Honolulu, HI 96813  
Telephone: (808) 586-1500  
Fax: (808) 586-1239  
Email: deirdre.marie-iha@hawaii.gov

*Attorneys for Plaintiff, State of Hawai‘i*

COLLEEN ROH SINZDAK\*  
MITCHELL P. REICH\*  
ELIZABETH HAGERTY\*  
HOGAN LOVELLS US LLP  
555 Thirteenth Street NW  
Washington, DC 20004  
Telephone: (202) 637-5600  
Fax: (202) 637-5910  
Email:  
neal.katyal@hoganlovells.com

THOMAS P. SCHMIDT\*  
HOGAN LOVELLS US LLP  
875 Third Avenue  
New York, NY 10022  
Telephone: (212) 918-3000  
Fax: (212) 918-3100

SARA SOLOW\*  
ALEXANDER B. BOWERMAN\*  
HOGAN LOVELLS US LLP  
1835 Market St., 29th Floor  
Philadelphia, PA 19103  
Telephone: (267) 675-4600  
Fax: (267) 675-4601

*\*Admitted Pro Hac Vice*

*Attorneys for Plaintiffs, State of  
Hawai‘i and Ismail Elshikh*

**DECLARATION OF NEAL K. KATYAL IN SUPPORT OF PLAINTIFFS’  
MOTION TO CONVERT TEMPORARY RESTRAINING ORDER TO A  
PRELIMINARY INJUNCTION**

I, NEAL K. KATYAL, hereby state and declare as follows:

1. I am counsel for Plaintiffs, the State of Hawai‘i and Ismail Elshikh. I have personal knowledge of and am competent to testify to the truth of the matters stated herein. This Declaration is submitted in support of Plaintiffs’ Motion to Convert Temporary Restraining Order to a Preliminary Injunction, filed concurrently herewith.

2. Attached as Exhibit A is a true and correct copy of remarks made by President Donald J. Trump at a rally in Nashville, Tennessee on March 15, 2017, as published on Time.com. *See* Katie Reilly, *Read President Trump’s Response to the Travel Ban Ruling: It ‘Makes Us Look Weak’*, Time (Mar. 16, 2017), <https://goo.gl/UcPHfg>.

3. Attached as Exhibit B is a true and correct copy of an interview of President Trump on Fox News on March 15, 2017, as transcribed by the Washington Post. *See* Chris Cillizza, *Donald Trump’s explanation of his wire-tapping tweets will shock and amaze you*, Washington Post (Mar. 16, 2017), <https://goo.gl/yMLIlm>.

4. Attached as Exhibit C is a true and correct copy of a New York Times article published electronically on March 16, 2017 and in print on March 17, 2017.

*See Stephanie Saul, Amid 'Trump Effect' Fear, 40% of Colleges See Dip in Foreign Applicants, N.Y. Times (Mar. 16, 2017), <https://goo.gl/7iMhgq>.*

I declare under penalty of perjury that the foregoing is true and correct.

DATED: Washington, D.C., March 21, 2017.

/s/ Neal K. Katyal  
Neal K. Katyal