

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII

STATE OF HAWAII 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

**[PROPOSED] ORDER CLARIFYING SCOPE OF PRELIMINARY
INJUNCTION**

This matter came before the Court on Plaintiffs' Emergency Motion to Clarify Scope of Preliminary Injunction (the "Motion"). Having considered the foregoing, the Court hereby GRANTS Plaintiffs' Motion and CLARIFIES that the preliminary injunction entered on March 29, 2017 (Dkt. No. 270), amended on June 29, 2017 (Dkt. No. 291), and modified by subsequent decision of the United States Supreme Court, provides as follows:

1. The preliminary injunction prohibits Defendants from applying sections 2(c), 6(a) and 6(b) of Executive Order 13780 to exclude grandparents, grandchildren, brothers-in-law, sisters-in-law, aunts, uncles, nieces, nephews, and cousins of persons in the United States.
2. The preliminary injunction prohibits Defendants from applying sections 6(a) and 6(b) to exclude refugees who: (i) have a formal assurance from an agency within the United States that the agency will provide, or ensure the provision of, reception and placement services to that refugee; (ii) have a bona fide client relationship with a U.S. legal services organization; or (iii) are in the U.S. Refugee Admissions Program (“USRAP”) through the Iraqi Direct Access Program for “U.S.-affiliated Iraqis,” the Central American Minors Program, or the Lautenberg Program.
3. The preliminary injunction bars defendants from suspending any part of the refugee admission process, including any part of the “Advanced Booking” process, for individuals with a bona fide relationship with a U.S. person or entity.
4. The preliminary injunction prohibits Defendants from applying a presumption that an applicant lacks “a bona fide relationship with a person or entity in the United States.”

DATED: Honolulu, Hawai‘i, _____.

Derrick K. Watson
U.S. District Judge

State of Hawai‘i, et al. v. Trump, et al., Civil Action No. 1:17-cv-00050-DKW-KSC; [Proposed] Order Clarifying Scope of Preliminary Injunction.