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(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

**THIRD DECLARATION OF
NEAL K. KATYAL IN
SUPPORT OF PLAINTIFFS’
MOTION TO ENFORCE OR,
IN THE ALTERNATIVE, TO
MODIFY PRELIMINARY
INJUNCTION; EXHIBITS J,
K, & L IN SUPPORT OF
PLAINTIFFS’ MOTION TO
ENFORCE OR, IN THE
ALTERNATIVE, TO
MODIFY PRELIMINARY
INJUNCTION;
**CERTIFICATE OF
SERVICE****

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**THIRD DECLARATION OF NEAL K. KATYAL IN SUPPORT OF
PLAINTIFFS' MOTION TO ENFORCE OR, IN THE ALTERNATIVE, TO
MODIFY 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 Third Declaration is submitted in support of Plaintiffs' Motion to Enforce or, In the Alternative, to Clarify Preliminary Injunction and Reply.
2. Attached as Exhibit J is a true and correct copy of the Declaration of Erol Kekic, Executive Director of the Church World Service ("CWS") Immigration and Refugee Program, as it was provided to counsel for Plaintiffs by a third party today. CWS is a humanitarian agency comprised of Protestant, Anglican, and Orthodox member communions.
3. Attached as Exhibit K is a true and correct copy of the Declaration of John Feruzi, an approximately 21-year old Congolese refugee who presently lives in the Dzaleka Refugee Camp in Malawi, as it was provided to counsel for Plaintiffs by a third party today. Mr. Feruzi's declaration is signed on his behalf by his attorney, Marissa Ram, who works for the International Refugee Assistance Project.
4. Attached as Exhibit L is a true and correct copy of the Declaration of Mwenda Watata, the uncle of Mr. Feruzi, who was admitted to the United States as

a refugee on July 4, 2017. The declaration is submitted in the form it was provided to counsel for Plaintiffs by a third party today.

5. Due to logistical challenges, the foregoing three declarations were previously filed in a form that did not include certifications under penalty of perjury. *See* Dkts. 343-1, 343-2, 343-3. Counsel for Plaintiffs submit the attached Exhibits J, K, and L in order to supplement the record with updated, substantively identical copies of the declarations containing attestations from the declarants under 28 U.S.C. § 1746. Exhibit J otherwise is identical to the previously filed Declaration of Erol Kekic, Dkt. 343-1. Exhibit K provides updated information regarding the declarant's interpreter and the location of execution but otherwise is substantively identical to the previously filed Declaration of John Feruzi, Dkt. 343-2. Exhibit L includes a small number of minor technical clarifications, such as to explain the circumstances of interpretation and to correct spelling, but otherwise is substantively identical to the previously filed Declaration of Mwenda Watata, Dkt. 343-3. No material information from the foregoing declarations that was cited in Plaintiffs' briefs has changed.

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

DATED: Washington, D.C., July 13, 2017.

/s/ Neal K. Katyal
Neal K. Katyal