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February 9, 2017

The Clerk of the Court
United States Court Clerk's Office
700 Stewart Street, Suite 2310
Seattle, WA 98101-9906

RE: *State of Washington et al. v. Donald J. Trump, et al.*, Case No. 2:17-cv-00141JLR

Dear Clerk:

This afternoon, the Ninth Circuit denied an emergency motion for a stay of the temporary injunction imposed by Judge Robart. The Court of Appeals held that the district court order “possesses the qualities of an appealable preliminary injunction” and established a briefing schedule for the appeal of the district court order. *Washington v. Trump*, Case No. 17-35105, slip op. at 8, Dkt. Entry 134 (9th Cir. 2017); *id.* at Dkt. Entry 135 (ECF Nos. 68, 69). In light of the Court of Appeals decision, the States assume the district court briefing schedule is no longer applicable. The States will not be filing a preliminary injunction motion and brief in the district court tonight, unless we receive contrary guidance from the district court.

Sincerely,

s/ Noah G. Purcell
NOAH G. PURCELL
Solicitor General

Cc: Michelle Bennett
Jacob Champion