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13 UNITED STATES DISTRICT COURT  
 14  
 15 NORTHERN DISTRICT OF CALIFORNIA

16 CITY AND COUNTY OF SAN FRANCISCO  
 and COUNTY OF SANTA CLARA,

Case No. 4:19-cv-4717-PJH

**JOINT STATUS REPORT**

17 Plaintiffs,

18 vs.

19 U.S. CITIZENSHIP AND IMMIGRATION  
 20 SERVICES; DEPARTMENT OF  
 HOMELAND SECURITY; CHAD F. WOLF,  
 Acting Secretary of Homeland Security; and  
 21 KENNETH T. CUCCINELLI, in his official  
 capacity as Acting Director of U.S. Citizenship  
 22 and Immigration Services,

23 Defendants.

1 The parties respectfully submit this Joint Status Report pursuant to the Court's January 10, 2020  
 2 Order, ECF No. 141. In that Order, the Court stayed all proceedings in this matter pending resolution  
 3 of the appeal in Ninth Circuit Case No. 19-17213. The Court also ordered that the parties submit a status  
 4 report within 14 days of the Ninth Circuit Court of Appeals issuing its decision on the merits in Case  
 5 No. 19-17213. *See id.*

6 The parties report that on December 2, 2020, the Ninth Circuit Court of Appeals issued its  
 7 decision in case number 19-17213. *See City & Cty. of S.F. v. U.S. Citizenship & Immigration Servs.*,  
 8 Nos. 19-17213, 19-17214, 19-35914, 2020 U.S. App. LEXIS 37602 (9th Cir. Dec. 2, 2020). In that  
 9 decision, the Court of Appeals affirmed this Court's Order preliminarily enjoining the DHS rule titled  
 10 "Inadmissibility on Public Charge Grounds."

11 Defendants are currently considering potential next steps concerning the Ninth Circuit's  
 12 decision.<sup>1</sup> Given the possibility of further appellate activity, the parties agree, and respectfully propose  
 13 to the Court, that this matter should remain stayed pending issuance of the mandate by the Court of  
 14 Appeals. The parties further propose that they file a joint status report within 7 days following issuance  
 15 of the mandate.

16  
 17 Dated: December 16, 2020

Respectfully submitted,

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22 By: /s/ Joshua Kolsky  
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By: /s/ Sara J. Eisenberg  
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27 <sup>1</sup> In analogous litigation, Defendants have filed petitions for a writ of certiorari with the U.S. Supreme  
 28 Court seeking review of decisions affirming preliminary injunctions of the public charge rule by the  
 Second and Seventh Circuits.

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