

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

**STATE OF CALIFORNIA, DISTRICT OF
COLUMBIA, STATE OF MAINE,
COMMONWEALTH OF
PENNSYLVANIA and STATE OF
OREGON,**

Plaintiffs,

V.

U.S. DEPARTMENT OF HOMELAND SECURITY; KEVIN McALEENAN, in his official capacity as Acting Secretary of Homeland Security; U.S. CITIZENSHIP AND IMMIGRATION SERVICES; and KENNETH T. CUCCINELLI, in his official capacity as Acting Director of U.S. Citizenship and Immigration Services,

Defendants.

Case No. 3:19-cv-04975

**[PROPOSED] ORDER GRANTING
PLAINTIFF STATES' MOTION FOR
PRELIMINARY INJUNCTION**

On April 26, 2019, Plaintiffs the State of California, the District of Columbia, the State of Maine, the Commonwealth of Pennsylvania, and the State of Oregon (collectively, Plaintiff States) filed a Motion for Preliminary Injunction (Motion) and a hearing on the Motion was held on _____ at ____ a/p.m.

1 The Court has considered the Motion and documents filed therewith, all of the papers on
2 file in this action, and the evidence and arguments presented at the hearing, and hereby GRANTS
3 Plaintiff States' Motion. The Court finds that each of the necessary elements for issuing a
4 preliminary injunction are met. In particular, the Court finds that Plaintiff States are likely to
5 prevail on the merits of their claims; absent a preliminary injunction, Plaintiff States would be
6 likely to suffer irreparable injuries; the balance of the equities favor Plaintiff States; and the
7 requested relief is in the public interest.

PRELIMINARY INJUNCTION

9 Now, therefore, it is hereby ORDERED that:

10 Defendants Kevin McAleenan, in his official capacity as Acting Secretary of U.S.
11 Department of Homeland Security, Kenneth Cuccinelli, in his official capacity as Acting Director
12 of U.S. Citizenship and Immigration Services, the U.S. Department of Homeland Security, and
13 U.S. Citizenship and Immigration Services, and their officers, agents, servants, employees, and
14 attorneys, and any other persons who are in active concert or participation with them, ARE
15 HEREBY RESTRAINED AND ENJOINED from committing, or performing directly and
16 indirectly, any and all of the following acts during the pendency of this action: enforcing or
17 implementing the Rule, “Inadmissibility on Public Charge Grounds,” 84 Fed. Reg. 41,292 (Aug.
18 14, 2019) (to be codified at 8 C.F.R. Parts 103, 212-14, 245, 248) (Public Charge Rule).

IT IS SO ORDERED.

20 || Dated: _____

The Honorable Jacqueline S. Corley