

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

LA CLINICA DE LA RAZA, et al.,  
Plaintiffs,  
v.  
DONALD J. TRUMP, et al.,  
Defendants.

Case No. 19-cv-04980-PJH

## ORDER GRANTING MOTION FOR LEAVE TO FILE MOTION FOR RECONSIDERATION

Re: Dkt No 179

Before the court is plaintiffs' motion for leave to file a motion for reconsideration.

Dkt. 179. The motion is unopposed.

Local Rule 7-9(a) requires that a party obtain leave of the court before filing a motion for reconsideration. Plaintiffs argue that, subsequent to the court's opinion granting in part, denying in part, and deferring ruling on in part defendants' motion to dismiss, (Dkt. 177), defendants have represented to other courts and publicly that former Acting Secretary of Homeland Security Kevin McAleenan, was not appointed pursuant to the Federal Vacancies Reform Act. Dkt. 179 at 3. Plaintiffs also contend that the Government Accountability Office has issued a decision that McAleenan was not properly appointed as Acting Secretary. Id. If true, these are sufficient reasons to grant leave to file a motion for reconsideration. Civ. L.R. 7-9(b). As such, the court GRANTS plaintiffs' motion for leave to file a motion for reconsideration.

Plaintiffs may file their motion for reconsideration no later than September 10, 2020. Defendants shall file their response by September 24, 2020.

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1 Plaintiffs may file a reply within one week of defendants' response.

2 **IT IS SO ORDERED.**

3 Dated: September 9, 2020

4 /s/ Phyllis J. Hamilton

5 PHYLLIS J. HAMILTON  
United States District Judge

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