

## Muslim Ban Cases

\* = ACLU is counsel

Note: Cases are moving rapidly and information in this document may not be up to date.

### First Circuit

\**Louhghalam v. Trump*, 17-cv-10154 (D. Mass.)

Two LPR professors at UMass-Dartmouth, represented by ACLU-MA, filed this lawsuit on January 28. The Court issued a TRO on January 29, ordering Defendants to follow the airport screening protocols in effect before the Order as to Plaintiffs and others similarly situated. The case was reassigned to Judge Gorton on January 30, who declined to extend the TRO past February 6. The State of Massachusetts has moved to intervene.

- [Complaint](#) filed January 28, 2017
- [Order](#) granting TRO (1/29/17)
- Massachusetts's intervention [brief](#) (1/31/17)
- [Order](#) denying PI and declining to extend TRO (2/3/17)

*Asgari v. Trump*, 1:17-cv-10192 (D. Mass.)

An Iranian-born scientist brought this suit on February 1 after he was denied entry under a J-1 visa. He moved for a TRO, but withdrew his motion on February 3 after he successfully entered the country. This case is before Judge Burroughs.

- [Complaint](#) filed February 1, 2017
- [Letter](#) cancelling TRO hearing (2/3/17)

### Second Circuit

\**Darweesh v. Trump*, 1:17-cv-480 (E.D.N.Y.)

Two plaintiffs, represented by the ACLU and the WIRAC clinic at Yale Law School, filed this lawsuit the morning after the Executive Order was signed, along with a motion to certify a nationwide class. Plaintiffs moved for and were granted a nationwide stay of removal on January 28, 2017. The Court also ordered Defendants to produce a list of people who are being detained under the Order. It subsequently extended the TRO until February 21. The State of New York has moved to intervene. On February 7, Plaintiffs filed a motion to enforce the Court's order that Defendants produce a list of people detained or removed under the Order. The motion also asks the Court to order Defendants to return anyone who was removed under the Order since class certification was filed. The government's motion to dismiss and opposition to the stay motion is due February 10; Plaintiffs' opposition and reply is due February 16; and the government's reply is due February 19. The case is currently before Judge Amon.

- [Complaint](#) filed January 28, 2017
- Class certification [motion](#) (1/28/17)
- Emergency [motion](#) for stay of removal (1/28/17)
- [Order](#) granting nationwide emergency stay of removal (1/28/17)
- Minute [order](#) to produce a list of names (1/28/17)

- [Motion](#) for clarification and enforcement of the stay (1/29/17)
- Minute [order](#) extending TRO until February 21 (2/2/17)
- State of New York [motion](#) to intervene (2/2/17)
- [Motion](#) to compel (2/7/17)

### **Third Circuit**

\**Asali v. DHS*, 5:17-cv-447 (E.D. Pa.)

Syrian-born visa holders, represented by ACLU-PA and others, filed this case on January 31, after they were stopped at the Philadelphia Airport, their visas were revoked, and they were sent back to Syria. Plaintiffs moved for a TRO to reinstate their visas and transport them back to the United States. On February 5, Plaintiffs were given approval to return to the United States, and they arrived back at JFK on February 6. The case is before Judge Leeson. A status conference is scheduled for February 8.

- [Complaint](#) filed January 31, 2017
- TRO [motion](#) (1/31/17)
- [Press release](#) about grant of permission to return (2/5/17)

### **Fourth Circuit**

*Aziz v. Trump*, 1:17-cv-116 (E.D. Va.)

LPRs detained at Dulles Airport, represented by Mayer Brown and the Legal Aid Justice Center, filed suit on January 28 and moved for a TRO against removal from Dulles. On January 28, the Court granted the TRO and ordered CBP to provide LPR detainees access to counsel. Plaintiffs filed an amended complaint on January 30, alleging that CBP had refused to permit access to lawyers, coerced LPR detainees into signing I-407s (abandonment of LPR status), and deported named plaintiffs to Addis Ababa. The Commonwealth of Virginia moved to intervene on January 31 and filed a motion to show cause, based on Defendants' non-compliance with the TRO. On February 3, the Court granted Virginia's intervention motion (and that of a Somali citizen who was deported from Dulles under the Order) and ordered Defendants to produce a list of Virginia residents who were denied entry or deported under the Order. The case is before Judge Brinkema.

- [Complaint](#) filed January 28, 2017
- TRO [motion](#) (1/28/17)
- Amended [complaint](#) (1/30/17)
- VA's show-cause [motion](#) (2/1/17)
- VA's [complaint](#) (2/3/17)
- [Order](#) extending TRO (2/3/17)
- [Order](#) granting intervention (2/3/17)

*Sarsour v. Trump*, 1:17-cv-120 (E.D.V.A.)

Lawsuit filed by members of the Council on American-Islamic Relations. Two motions to intervene in support of the government were denied, but otherwise there has been no activity in the case, which is assigned to Judge Trenga.

- [Complaint](#) filed January 30, 2017

*\*IRAP v. Trump*, 8:17-cv-361 (D. Md.)

Two organizations and a number of individuals, represented by the ACLU and NILC, filed suit on February 7 challenging all aspects of the Order. They seek to represent a class consisting of U.S. residents with approved or pending visa petitions, who are either refugees or nationals of the seven listed countries. The case has been assigned to Judge Chuang.

- [Complaint](#) filed February 7, 2017

### **Fifth Circuit**

*Albaldawi ex rel. Issa v. Trump*, 3:17-cv-281 (N.D. Tex.)

This habeas petition was filed on January 31 by a SIV holder who was stopped at the Dallas Fort Worth Airport the day before. After he filed a motion for an emergency hearing, he was released from custody. The case is before Judge Fitzwater.

- Habeas [petition](#) filed January 31, 2017

### **Sixth Circuit**

*\*Arab American Civil Rights League v. Trump*, 2:17-cv-10310 (E.D. Mich.)

A group of individuals, now represented by ACLU-MI and private counsel, filed this lawsuit on January 31 and moved for a TRO on February 2, which the Court granted the same day. The TRO enjoined the government from applying the Order to LPRs, but reserved the non-LPR plaintiffs' requests for relief until after further briefing. On February 6, the government moved to dissolve the TRO in light of the government's position that the Order does not apply to LPRs. The case is before Judge Roberts.

- [Complaint](#) filed January 31, 2017
- [Order](#) granting permanent injunction (2/2/17)
- Government's [motion](#) to dissolve injunction (2/6/17)
- Plaintiffs' [opposition](#) to motion to dissolve (2/7/17)

### **Seventh Circuit**

*Al Homssi v. Trump*, 1:17-cv-801 (N.D. Ill.)

A Syrian national, who is a medical resident at the University of Illinois-Chicago, filed this lawsuit on January 31 and moved for a TRO and PI. At a status hearing on February 1, the parties told the judge that they had reached a "settlement in principle." A status hearing is currently scheduled for February 9. The case is before Judge Bucklo.

- [Complaint](#) filed January 31, 2017

### **Ninth Circuit**

*States of Washington & Minnesota v. Trump*, 2:17-cv-141 (W.D. Wash.)

This lawsuit, filed by the State of Washington and later joined by Minnesota, challenges the entirety of the Executive Order. Judge Robart issued a nationwide TRO against enforcement of the entire Order. He set a briefing schedule for Plaintiffs' PI motion on February 7: Plaintiffs' opening brief is due February 9, Defendants' opposition is due February 15, and Plaintiffs' reply is due February 17.

The United States' emergency motion to stay the TRO is currently pending before the Ninth Circuit. The Court heard oral argument on February 7. The Ninth Circuit motions panel is Judges Canby, Clifton, and Friedland.

- [Complaint](#) filed Jan. 30, 2017
- TRO oral [argument](#)
- Nationwide [TRO](#) (2/3/17)
- Ninth Circuit proceedings, No. 17-35105
  - United States' [motion](#) for stay pending appeal (2/4/17)
  - [Order](#) denying administrative stay pending briefing (2/4/17)
  - Washington's [opposition](#) (2/6/17)
  - Amicus briefs are available [here](#) (2/6/17)
    - ACLU, ACLU-WA [brief](#)
  - United States' reply [brief](#) (2/6/17)

*Ali v. Trump*, 2:17-cv-135 (W.D. Wash.)

Two U.S. citizens, an LPR, and their non-citizen children filed this lawsuit on January 30, 2017 and moved to certify a nationwide class on February 2 consisting of current and future visa applicants and petitioners. Plaintiffs filed a PI and TRO motion on February 6. The case is pending before Judge Robart.

- [Complaint](#) filed January 30, 2017

\**Wagafe v. Trump*, 2:17-cv-94 (W.D. Wash.)

This lawsuit was originally filed on January 23, 2017 as a challenge to the CARRP program. On February 1, 2017, Plaintiffs, represented by ACLU-NC, ACLU-WA, and others, amended their complaint to add challenges to the Order. They seek to represent national classes of all people from the listed countries whose applications for naturalization, adjustment of status, and other immigration benefits will be blocked or delayed because of the Order.

- Amended [complaint](#) filed February 1, 2017

\**Doe v. Trump*, 2:17-cv-178 (W.D. Wash.)

Two individuals and the Episcopal Diocese of Olympia filed suit on February 7, seeking to represent a class of all non-citizens on non-immigrant visas in Washington. They are represented by ACLU-WA.

- [Complaint](#) filed February 7, 2017

\**Vayeghan v. Kelly*, 17-cv-702 (C.D. Cal.)

An individual visa-holder, represented by ACLU-SoCal, filed this lawsuit on January 28. The government subsequently removed him to Dubai, en route to Iran. The Court issued a TRO on January 29 ordering the government to return him to LAX and admit him pursuant to his visa. The case was subsequently transferred to Judge Otero. A status conference is set for February 10.

- [Complaint](#) filed January 28, 2017
- [Order](#) granting TRO (1/29/17)

\**Farmad v. Trump*, 17-cv-706 (C.D. Cal.)

Individual and organizational plaintiffs, represented by ACLU-SoCal, filed this lawsuit on January 29 and moved for a TRO, which they withdrew after the individual plaintiffs were

released later that day. They filed a new TRO on February 1, which the Court denied as moot on February 3. A status conference is set for February 10. The case is pending before Judge Otero.

- [Complaint](#) filed January 29, 2017

*Mohammed v. Trump*, 2:17-cv-786 (C.D. Cal.)

This class action was filed on January 31 by Yemeni-born U.S. citizens and non-citizens. The Court granted a TRO on January 31 barring Defendants from enforcing the Order against Plaintiffs “or any other person” from the seven countries. A hearing on Plaintiffs’ PI motion is scheduled for February 10. The case is currently before Judge Otero.

- [Order](#) granting TRO (1/31/17)

\**Unite Oregon v. Trump*, 3:17-cv-179 (D. Oregon)

Unite Oregon, represented by ACLU-OR and others, filed this lawsuit on February 1. The complaint requests an injunction against application of the Order at Portland International Airport. The case has been assigned to Magistrate Judge Papak.

- [Complaint](#) filed February 1, 2017

\**Al-Mowafak v. Trump*, 3:17-cv-557 (N.D. Cal.)

Non-citizen students, along with ACLU-NC and Jewish Family & Community Services East Bay, filed this class action on February 2 on behalf of nationals of the seven banned countries who are or recently were lawfully present in California. The case is before Judge Orrick.

- [Complaint](#) filed February 2, 2017

*State of Hawaii v. Trump*, 1:17-cv-50 (D. Hawaii)

The State of Hawaii filed suit on February 3 and moved for a TRO the same day. The Court has scheduled a hearing on the TRO for February 8. The case is assigned to Judge Watson, who, on February 7, stayed all deadlines in the case while Judge Robart’s nationwide TRO is in effect.

- [Complaint](#) filed February 3, 2017
- TRO [motion](#) (2/3/17)

## **Tenth Circuit**

*Hagig v. Trump*, 1:17-cv-289 (D. Colo.)

This is a suit by a Libyan national LPR who is a college student in Denver. He filed on January 31, and there has been no docket activity since then. The case is before Judge Jackson.

- [Complaint](#) filed January 31, 2017

## **Eleventh Circuit**

*Tawfeeq v. DHS*, 1:17-cv-353 (N.D. Ga.)

An Iraqi LPR, who works for CNN, filed this lawsuit on January 30. Plaintiff has moved to shorten the government’s timeline to answer, and the government’s response is due February 8. The case is assigned to Judge Batten.

- [Complaint](#) filed January 30, 2017

## **D.C. Circuit**

*\*Zadeh v. Trump*, 1:17-cv-243 (D.D.C.)

This case was filed by two married couples, in both of which one spouse is a citizen or LPR and the other has a valid immigrant visa. Plaintiffs are represented by private attorneys along with ACLU-DC and ACLU-MN. They sued on February 3. One of the plaintiffs was allowed to enter the United States on February 5, the other on February 6. Plaintiffs withdrew their TRO motion on February 7. The case is before Judge Chutkan.

- [Complaint](#) filed February 3, 2017

*Pars Equality Center v. Trump*, (D.D.C.)

Iranian individuals and organizations filed this suit on February 8, seeking to enjoin all aspects of the Order. The case is not yet on Pacer.