

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND
SOUTHERN DIVISION**

INTERNATIONAL REFUGEE
ASSISTANCE PROJECT, et al.,

Plaintiffs,

v.

DONALD J. TRUMP, et al.,

Defendants

Civil Action No.: 8:17-CV-00361-TDC

**INTERFAITH COALITION’S MOTION FOR LEAVE TO FILE AMICI
CURIAE BRIEF IN SUPPORT OF PLAINTIFFS’ MOTION FOR A
TEMPORARY RESTRAINING ORDER BASED ON THE LANGUAGE OF
THE EXECUTIVE ORDER AND THE REPORT OF THE STATE
DEPARTMENT**

Amici Curiae Interfaith Coalition respectfully move the Court for leave to file a brief in support of Plaintiffs’ Motion for a Temporary Restraining Order. A copy of the proposed brief is attached as Exhibit 1 to this motion. Plaintiffs have consented to the filing of the attached brief. Defendants take no position with respect to this motion.

I. IDENTITY AND INTEREST OF AMICI

Amici are a coalition of individuals and organizations of diverse religions. Although they profess different faiths, they are united in the belief that religious

tolerance is critical to the safety and wellbeing of our local and national community. President Trump's Executive Order No. 13729 (March 6, 2017) ("Executive Order" or "Order"), which by its plain language, structure, and intent, clearly discriminates on the basis of religion, is anathema to this core tenet that all members of our coalition share.

Amici¹ are:

- Congregation B'nai Jeshurun
- The Right Reverend Andrew Dietsche, Episcopal Bishop of New York
- The Right Reverend Allen K. Shin, Bishop Suffragan of the Episcopal
- The Right Reverend Mary D. Glasspool, Bishop Assistant of the Episcopal Diocese of New York
- Imam Abdul Malik Mujahid
- The Right Reverend Lawrence C. Provenzano, Episcopal Bishop of Long Island
- The Muslim Public Affairs Council
- The Right Reverend Marc Handley Andrus, Episcopal Bishop of California
- Rabbi Joy Levitt
- Congregation Beit Simchat Torah
- Rabbi Sharon Kleinbaum
- Rabbi Joel Mosbacher
- Rabbi Frederick Reeves
- Rabbi Peretz Wolf-Prusan
- Rabbi Noa Kushner
- Union Theological Seminary
- Rabbi John Rosove

¹ Unless stated otherwise, amici are acting on their own behalf, and not on behalf of any organizations with which they are associated. No party's counsel authored this brief in whole or in part, and no person other than the undersigned counsel contributed financially to its preparation or submission.

- United Methodist Women
- Rabbi James Ponet
- Hyde Park & Kenwood Interfaith Council
- Rabbi Michael Strassfeld
- Reverend Timothy B. Tutt
- Reverend Curtis W. Hart
- The Sikh Coalition

II. REASONS WHY MOTION SHOULD BE GRANTED

The Court has broad discretion to appoint amicus curiae. *Am. Humanist Ass’n v. Maryland-Nat’l Capital Park & Planning Comm’n*, 303 F.R.D. 266, 269 (D. Md. 2014). “[T]he aid of amici curiae has been allowed at the trial level where they provide helpful analysis of the law, they have a special interest in the subject matter of the suit, or existing counsel is in need of assistance.” *Bryant v. Better Bus. Bureau of Greater Md., Inc.*, 923 F. Supp. 720, 728 (D.Md.1996); *see also* *Washington Gas Light Co. v. Prince George’s Cty. Council*, No. DKC 08-0967, 2012 WL 832756, at *3 (D. Md. Mar. 9, 2012).

The Court should grant Amici leave to file the attached brief because the brief explains why the Executive Order, based on its structure and the very sources it cites for support, clearly discriminates on the basis of religion. Specifically, the brief closely examines the language of Section 1 of the Executive Order and the State Department Report cited therein, and demonstrates that if one accepts the

statements of those two documents the inclusion of only Muslim-majority countries cannot be justified.²

III. CONCLUSION

For these reasons, Amici respectfully request that the Court grant this motion for leave to file the attached amicus curiae brief.

DATED: March 12, 2017

Respectfully submitted,

By: /s/ Kevin Collins

Kevin Collins (Bar No. 13131)
kcollins@cov.com
William Zapf (Bar No. 28686)
wzapf@cov.com
COVINGTON & BURLING LLP
One City Center
850 Tenth Street, NW
Washington, D.C. 20001-4965
Telephone: + 1 (202) 662-6000
Facsimile: + 1 (202) 662-6291

Robert D. Fram (*pro hac vice* pending)
rfram@cov.com
Alexandra P. Grayner (*pro hac vice* pending)
agrayner@cov.com
Kathryn E. Bi (*pro hac vice* pending)
kbi@cov.com

² Amici do not endorse the statements in the Executive Order or the State Department Report, or call for additional countries to be subject to the Travel Ban, but merely reference those statements to demonstrate the intrinsic contradiction in the Administration's position.

COVINGTON & BURLING LLP
1 Front St.
San Francisco, CA 94111
Telephone: +1 (415) 591-6000
Facsimilie: +1 (415) 591-6091

Michael Baker (*pro hac vice* pending)
mbaker@cov.com

Karun Tilak (*pro hac vice* pending)
ktilak@cov.com

Andrew Guy (*pro hac vice* pending)
aguy@cov.com

COVINGTON & BURLING LLP
One City Center
850 Tenth Street, NW
Washington, D.C. 20001-4965
Telephone: + 1 (202) 662-6000
Facsimile: + 1 (202) 662-6291

Attorneys for Amici Curiae Interfaith Coalition