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Attorneys for Defendants

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII**

STATE OF HAWAI'I and
ISMAIL ELSHIKH,

Plaintiffs,

v.

DONALD J. TRUMP, in his official capacity as President of the United States; U.S. DEPARTMENT OF HOMELAND SECURITY; JOHN F. KELLY, in his official capacity as Secretary of Homeland Security; U.S. DEPARTMENT OF STATE; REX TILLERSON, in his official capacity as Secretary of State; and the UNITED STATES OF AMERICA,

Defendants.

No. 1:17-cv-00050-DKW-KSC

**MOTION FOR
CLARIFICATION OF
TRO; MEMORANDUM
OF LAW**

Judge: Hon. Derrick K. Watson

Hearing: None Requested

Related Documents:
Dkt. No. 219

**DEFENDANTS' MOTION FOR CLARIFICATION OF
TEMPORARY RESTRAINING ORDER**

Defendants hereby file this Motion for Clarification of this Court's March 15, 2017 Temporary Restraining Order. ECF No. 219. The Court's Temporary Restraining Order says that it enjoins Sections 2 and 6 of Executive Order No. 13,780, even though many of the provisions of those sections were not addressed in the briefs that Plaintiffs filed in support of their motion. It is therefore unclear whether the Court intended for its Temporary Restraining Order to extend to all of those provisions.

The parties have met and conferred regarding the motion. Plaintiffs have indicated that they do not believe that Defendants' Motion for Clarification is correct and that it will unduly delay resolution of this case and have stated that they will file an opposition brief within 24 hours. Defendants intend to file an expedited reply, with the goal of having this motion being fully briefed by Monday, March 20. Defendants believe that they need greater clarity regarding the Court's Temporary Restraining Order before they can respond to the portion of the Court's opinion ordering the parties to submit a stipulated briefing and hearing schedule for the Court to determine whether to extend the Temporary Restraining Order.

A supporting memorandum of law is attached hereto.

Dated: March 17, 2017

Respectfully submitted,

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