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12 *Attorneys for Defendants*

13 **UNITED STATES DISTRICT COURT**
 14 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**

15 CITY OF SAN JOSE, CALIFORNIA; KING
 16 COUNTY, WASHINGTON; ARLINGTON
 17 COUNTY, VIRGINIA; BLACK ALLIANCE
 FOR JUST IMMIGRATION, a California
 18 nonprofit corporation; SAM LICCARDO;
 ZERIHOON YILMA; and LOVETTE
 19 KARGBO-THOMPSON,
 Plaintiffs,

20 vs.

21
 22 DONALD J. TRUMP, in his official capacity as
 President of the United States; WILBUR L.
 23 ROSS, JR., in his official capacity as
 24 Secretary of Commerce; U.S. DEPARTMENT
 OF COMMERCE, U.S. CENSUS BUREAU,
 25 STEVEN DILLINGHAM, in his official capacity
 as Director of the U.S. Census Bureau, and
 26 CHERYL L. JOHNSON, in her official capacity
 27 as Clerk of the U.S. House of Representatives,
 28 Defendants.

CASE NO. 5:20-cv-05167-LHK

**EXECUTIVE BRANCH
 DEFENDANTS' STATEMENT
 REGARDING ADMINISTRATIVE
 MOTION TO RELATE CASE NOS.
 5:20-CV-05167 AND 3:20-CV-05169**

1 Pursuant to Civ. L.R. 3-12(e), Defendants President Donald J. Trump, Secretary of
2 Commerce Wilbur J. Ross, the U.S. Department of Commerce, the U.S. Census Bureau, and
3 Census Bureau Director Steven Dillingham (hereinafter “Executive Branch Defendants”), hereby
4 respond to the administrative motion of the State of California, City of Los Angeles, City of
5 Long Beach, City of Oakland, and Los Angeles Unified School District (collectively,
6 “California”) to relate *State of California, et al. v. Donald J. Trump, et al.*, Case No. 3:20-cv-
7 05169, filed on July 28, 2020, to *City of San Jose, et. al. v. Donald J. Trump, et al.*, Case No.
8 5:20-cv-05167, filed on July 27, 2020, both of which are pending in this district.

9 The Executive Branch Defendants do not oppose relating these cases, as they “concern
10 substantially the same parties, [] transaction or event,” and “[i]t appears likely that there will be
11 an unduly burdensome duplication of labor or conflicting results if the cases are conducted
12 before different Judges.” Civ. L.R. 3-12(a). If the cases are related to one another, the Executive
13 Branch Defendants wish to explore with the parties, and the Court, procedural mechanisms to
14 streamline the filing of documents in these cases so as to avoid unnecessary duplication of
15 filings, including whether the cases should be consolidated under Rule 42 of the Federal Rules of
16 Civil Procedure.

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18 Dated: August 14, 2020

Respectfully submitted,

19 ETHAN P. DAVIS
20 Acting Assistant Attorney General

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23 ALEXANDER K. HAAS (SBN 220932)
24 Branch Director

25 DIANE KELLEHER
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27
28 /s/ Daniel D. Mauler
DANIEL D. MAULER

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