

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

COUNTY OF SANTA CLARA,

Plaintiff,

v.

DONALD J. TRUMP, et al.,

Defendants.

Case No. [17-cv-00574-WHO](#)

CITY AND COUNTY OF SAN  
FRANCISCO,

Plaintiff,

v.

DONALD J. TRUMP, et al.,

Defendants.

Case No. [17-cv-00445-WHO](#)

**ORDER GRANTING MOTION FOR  
SUMMARY JUDGMENT**

United States District Court  
Northern District of California

**INTRODUCTION**

On April 25, 2017, I entered a preliminary injunction against Section 7(a) of Executive Order 13768, “Enhancing Public Safety in the Interior of the United States,” 42 Fed. Reg. 4790 (Jan. 25, 2017) (the “Executive Order”). Preliminary Injunction Order (“PI Order”)(CF Dkt. No. 42), (SC Dkt. No. 98). I concluded that the County of Santa Clara and the City and County of San Francisco had pre-enforcement standing to protect hundreds of millions of dollars of federal grants from the unconstitutionally broad sweep of the Executive Order. The federal government argued for the first time at the hearing for the preliminary injunction that the Executive Order was meant to be far more narrow than I interpreted it, a mere directive to the Department of Homeland Security (“DHS”) and the Department of Justice (“DOJ”) that does not seek to place any new

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