

July 20, 2017

Honorable Scott S. Harris
Office of the Clerk
Supreme Court of the United States
Washington, D.C. 20543

Re: *Donald J. Trump, et al. v. State of Hawaii, et al.*, No. 16-1540 (16A1191)

Dear Mr. Harris,

Respondents learned yesterday that Dr. Elshikh's mother-in-law plans to enter the United States imminently. On or about July 16, 2017, she travelled to the United States embassy in Beirut, Lebanon and acquired her visa, which was issued by the Government on July 10, 2017. She has not yet been admitted to the United States and has not booked travel to the country, but Dr. Elshikh informed us yesterday that she intends to enter as soon as she is able to make those travel arrangements.

Because, according to the Government, only those with a visa issued before June 29, 2017 are exempt from the application of Section 2(c) of Executive Order 13,780, there can be no dispute that Dr. Elshikh currently has standing to challenge that Order under the Establishment Clause and the Immigration and Nationality Act. *See* U.S. Dep't of State, *Important Announcement: Executive Order on Visas* (July 14, 2017), <https://travel.state.gov/content/travel/en/news/important-announcement.html>. In respondents' view, Dr. Elshikh's standing will be unaffected even after his mother-in-law enters the country. And this Court made clear that a development of this kind "does not affect" the balancing of the equities that guided the Court's June 26 stay order. *Trump v. Int'l Refugee Assistance Project ("IRAP")*, 137 S. Ct. 2080, 2086 n.* (2017) (explaining that the fact that the wife of one of the Doe plaintiffs in the *IRAP* case "received an immigrant visa on or about June 22, 2017 * * * does not affect our analysis of the stay issues in these cases," and should instead be "address[ed] * * * at the merits stage"). Nonetheless, respondents present this information now in the interest of maintaining a complete and up-to-date record before this Court.

Respectfully submitted,

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Counsel for Respondents