

FILED
U.S. DISTRICT COURT
DISTRICT OF MARYLAND
2019 JAN 16 PM 6:53

Chambers of
Ellen Lipton Hollander
District Court Judge

CLERK'S OFFICE
AT BALTIMORE

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Baltimore, Maryland 21201
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BY _____ DEPUTY

January 16, 2019

LETTER TO COUNSEL

Re: *Mayer and City Council of Baltimore v. Trump, et al.*
Civil No.: ELH-18-3636

Dear Counsel:

As you know, the Mayor and City Council of Baltimore (the "City") filed suit on November 28, 2018, against President Donald J. Trump, in his official capacity; the United States Department of State; and Secretary of State Michael R. Pompeo, in his official capacity. The City alleges that the Trump Administration's January 3, 2018 change to the Foreign Affairs Manual violates the Administrative Procedures Act, 5 U.S.C. § 500 *et seq.* and the Fifth Amendment. ECF 1. Plaintiff seeks a declaratory judgment and injunctive relief.

The government has moved to stay this case because of the partial government shutdown. ECF 12. Baltimore opposes the stay. ECF 13.

I have reviewed and considered the parties' submissions. According to the City, the change to the Foreign Affairs Manual poses significant ramifications to the health and well-being of the residents of Baltimore. *See* ECF 1. In light of the potential harm, I shall deny the government's motion. *Cf. United States v. Baltimore Police Dep't*, JKB-17-99, ECF 173 (D. Md. Dec. 26, 2018) (denying consent motion for continuance due to partial government shutdown because "[d]eeply serious matters involving the safety and well-being of the citizens of Baltimore are at issue in this case").

Despite the informal nature of this letter, it is an Order of the Court and shall be docketed as such.

Sincerely,

/s/

Ellen Lipton Hollander
United States District Judge