

**ARNOLD & PORTER  
KAYE SCHOLER**

Gregory J. Wallace  
+1 212.836.8878 Direct  
Gregory.Wallance@apks.com

February 6, 2017

**VIA ECF**

The Honorable Carol Bagley Amon  
Senior Judge  
United States District Court  
Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, NY 11201

Re: *Darweesh et al. v. Trump et al.*, Case No. 17-cv-00480-CBA

Dear Judge Amon:

This law firm represents Yale-New Haven Hospital, Bellevue/NYU Program for Survivors of Torture and NYU Center for Health and Human Rights. (“Proposed Amici”). We write to seek the Court’s permission to file a single *amicus* brief in the above-referenced case on behalf of the Proposed Amici.<sup>1</sup> In the alternative, pursuant to Rule 3(A) of this Court’s Individual Rules, we request a pre-motion conference to authorize leave to file such a brief.

The Proposed Amici are medical institutions in the United States that treat patients, train physicians and other medical personnel, and conduct important medical research. Together the Proposed Amici treat thousands of patients in the United States very often with personnel who are foreign nationals, including many from the countries at issue in the July 27, 2017 Executive Order (“Executive Order”), that is at issue in the above-referenced case. In addition, the Proposed Amici conduct and collaborate on medical research on a global basis – efforts that involve journeys overseas by their personnel and visits to the United States from experts from overseas, including from the countries at issue.

Therefore, Proposed Amici have an interest in the outcome of the above-referenced case. The purpose of the Proposed Amici’s brief will be to demonstrate (i)

---

<sup>1</sup> There may be additional entities that join as amici. We will inform the Court of the identity of any such entity as soon as possible.

# ARNOLD & PORTER I KAYE SCHOLER

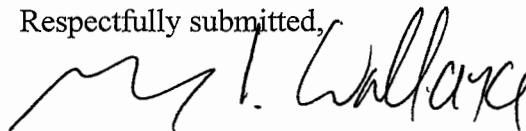
The Honorable Carol Bagley Amon  
February 6, 2017  
Page 2

that immigrant doctors, medical researchers, and health workers such as nurses, are vital to meeting the health care needs of Americans and (ii) the Executive Order, unless overturned, will damage the nation's health care infrastructure by blocking entry into the United States of these medical professionals, especially given the possibility the travel ban will extend to other countries, and curbing recruitment and participation in collaborative medical research and conferences.

“District courts have broad discretion in deciding whether to accept amicus briefs.” *In re HSBC Bank, USA, N.A., Debit Card Overdraft Fee Litig.*, 14 F. Supp. 3d 99, 103 (E.D.N.Y. 2014) (citation omitted). “An amicus brief should normally be allowed when...the amicus has unique information or perspective that can help the court beyond the help that the lawyers for the parties are able to provide.” *Citizens Against Casino Gambling in Erie County v. Kempthorne*, 471 F. Supp. 2D 295, 311 (W.D.N.Y. 2007) (citation omitted).

For the foregoing reasons, we respectfully request the court's permission to file an *amicus* brief on or before a date to be set by the court or the date plaintiffs' briefs are due. In the alternative, we request a pre-motion conference with the court for leave to file such a brief.

Respectfully submitted,



Gregory J. Wallance

cc: All Counsel of Record (via ECF)