

Gupta / Wessler

*Issues & Appeals*

August 25, 2017

The Honorable George B. Daniels  
United States District Court  
Southern District of New York  
500 Pearl Street  
New York, NY 10007

Re: *Citizens for Responsibility and Ethics in Washington, et al. v. Trump*,  
No. 1:17-cv-00458-GBD

Dear Judge Daniels:

We write to inform the Court of the attached decision issued by the Second Circuit this week in *Centro De Law Comunidad Hispana Locust Valley v. Town of Oyster Bay*, No. 15-2914-cv (Aug. 22, 2017).

The decision addresses an issue discussed in our opposition brief at pages 26-30: organizational standing under *Havens Realty v. Coleman*, 455 U.S. 363 (1982). The Second Circuit reiterated its rule that an organization suffers injury-in-fact (1) “where, as here, a policy has impeded, and will continue to impede, the organization’s ability to carry out its responsibilities” or (2) “where an organization diverts its resources away from its current activities.” Slip. op. 8-9 (citations and quotation marks omitted). It also recognized that *Bank of America v. City of Miami*, 137 S. Ct. 1296, 1303 (2017), reaffirms *Havens Realty*’s holding “that a nonprofit organization establishes an injury-in-fact if, as here, it establishes that it ‘spent money to combat’ activity that harms its organization’s core activities.”

Sincerely,

/s/ Deepak Gupta  
Deepak Gupta  
*Counsel for Plaintiffs*

Enclosure

Cc: All counsel of record (via ECF)