

**MUSLIM ADVOCATES, AMERICAN MUSLIM HEALTH PROFESSIONALS, MUPPIES, INC., THE NATIONAL ARAB AMERICAN MEDICAL ASSOCIATION, AND NETWORK OF ARAB-AMERICAN PROFESSIONALS' MOTION FOR LEAVE TO FILE BRIEF OF *AMICI CURIAE* IN SUPPORT OF PLAINTIFFS' MOTION FOR A TEMPORARY RESTRAINING ORDER**

Proposed *Amici Curiae* Muslim Advocates, American Muslim Health Professionals, Muppies, Inc., The National Arab American Medical Association, and Network of Arab-American Professionals (“Proposed Amici”) respectfully move for leave to file a brief of *amici curiae* in support of the Plaintiffs’ Motion for a Temporary Restraining Order, filed on March 8, 2017, Dkt. 65.

**I. IDENTITIES AND INTERESTS OF THE PROPOSED AMICI**

**Muslim Advocates**, a national legal advocacy and educational organization formed in 2005, works on the frontlines of civil rights to guarantee freedom and justice for Americans of all faiths. Muslim Advocates advances these objectives through litigation and other legal advocacy, policy engagement, and civic education, and by serving as a legal resource for the American Muslim community, promoting the full and meaningful participation of Muslims in American public life. The issues at stake in this case directly relate to Muslim Advocates’ work fighting institutional discrimination against the American Muslim community.

**American Muslim Health Professionals (AMHP)** works to improve the health of Americans. AMHP has three areas of focus: (1) health promotion and

education; (2) professional development; and (3) state and national advocacy on public health issues. AMHP has been a leader in expanding healthcare coverage by hiring a team of state liaisons and working with interfaith communities through its “Connecting Americans to Coverage” campaign. Its leadership has been at the forefront of raising awareness about bullying, identity development, and other mental health issues impacting the most vulnerable segment of society – our children and youth. AMHP has also spearheaded many social just initiatives including “EnabledMuslim,” an online platform that provides spiritual and social support for individuals and families impacted by disability.

**Muppies, Inc.**, also known as Muslim Urban Professionals (Muppies), is a nonprofit, charitable organization dedicated to empowering and advancing Muslim business professionals to be leaders in their careers and communities. Its mission is to create a global community of diverse individuals who will support, challenge, and inspire one another by providing a platform for networking, mentorship, and career development.

The **National Arab American Medical Association (NAAMA)** is the largest international organization of Arab American health care providers, trainees and medical students based in North America. Since its founding, twenty-seven chapters have been established in the United States and Canada. In 1990, the NAAMA Foundation was created to support international medical assistance projects, educational exchanges, scholarships, research grants, and

emergency medical aid in areas of conflict. Members of the association include well-trained clinicians, high ranking university professors, leaders of several medical societies, and scientists involved in cutting edge research and innovation. In the United States, the foundation supports professional and educational activities aimed at Arab American health education and disease prevention in cooperation with community-based organizations. Members have also donated their time and money to help the relief efforts following Hurricanes Katrina and Rita. Internationally, the foundation sponsors projects, focusing on the Arab world. It has sponsored humanitarian projects in Iraq in the wake of the Iraq War. Currently, volunteers from the association conduct periodic missions to countries surrounding Syria to provide humanitarian medical care and establish eye care and dental clinics to benefit local populations and refugees.

**The Network of Arab-American Professionals (NAAP)** is a professional organization grounded in the notion that all Arabs in America need to connect to advance the community. Through collective contribution to strengthen our individual and community standing, NAAP provides a channel for Arab-Americans to realize their passions and pursue their interests through community involvement. NAAP promotes professional networking and social interaction among Arab-American and Arab professionals in the US and abroad; educates both the Arab-American and non-Arab communities about Arab culture, identity, and concerns; advances the Arab-American community by empowering, protecting and

promoting its political causes and interests in the US and abroad within all levels of society; supports the Arab student movement in the United States; and serves society through volunteerism and community service efforts.

The Proposed Amici are affected by the Executive Order issued on March 6, 2017, entitled “Protecting the Nation from Foreign Terrorist Entry into the United States” (the “Executive Order”). The Executive Order is an unconstitutional infringement upon the rights of Muslims. It inflicts significant harm on the American Muslim community and American Muslim professionals. It threatens American Muslims’ ability to practice their professions in the United States; it threatens American Muslims who live, work, travel, and have families abroad; and it subjects Muslims to a damaging stigma.

## **II. MEMORANDUM AND POINTS OF LAW**

A “district court has broad discretion to appoint amici curiae.”

*Hoptowit v. Ray*, 682 F.2d 1237, 1260 (9th Cir. 1982), *abrogated on other grounds by Sandin v. Conner*, 515 U.S. 472 (1995). “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.”

*Cty Ass’n for Restoration of the Env. (CARE) v. DeRuyter Bros. Dairy*, 54 F. Supp. 2d 974, 975 (E.D. Wash. 1999) (citing *Northern Sec. Co. v. U.S.*, 191 U.S. 555, 556 (1903)); *see also In re Roxford Foods Litig.*, 790 F. Supp. 987, 997 (N.D. Cal. 1991) (stating that courts generally “have exercised great liberality in permitting an

amicus curiae to file a brief in a pending case”). An amicus brief is appropriate when it serves “the benefit of the court, assisting the court in cases of general public interest.” *Newark Branch, N.A.A.C.P. v. Twp. of Harrison*, 940 F.2d 792, 808 (3d Cir. 1991).

For the reasons explained above, the Proposed Amici have an interest in the outcome of this case. On behalf of the Defendants, the Department of Justice has represented that it takes no position on this motion. Accordingly, the Proposed Amici should be permitted to submit their proposed brief of amici curiae.

### III. CONCLUSION

For the foregoing reasons, Proposed Amici respectfully request that this Court grant their motion for leave to file the proposed brief of amici curiae attached hereto as Exhibit A.

Dated: Honolulu, Hawai`i, March 13, 2017.

Respectfully submitted,

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