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17		Attorneys for Federal Defendants
18	UNITED STATES D	DISTRICT COURT
19	NORTHERN DISTRIC	
20	OAKLAND	DIVISION
21	SAN FRANCISCO AIDS FOUNDATION, et al.;	Case No. 4:25-cv-1824-JST
22	Plaintiffs,	STIPULATED REQUEST FOR LEAVE TO SUPPLEMENT RECORD IN
	T tutting);	SUPPORT OF PLAINTIFFS' MOTION
23	V.	FOR A PRELIMINARY INJUNCTION; [PROPOSED] ORDER
<ul><li>24</li><li>25</li></ul>	DONALD J. TRUMP, in his official capacity as President of the United States, <i>et al.</i> ;	•
	Defendants.	
26		
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28		
	STIPULATED REQUEST FOR LEA [PROPOSED] ORDER; Ca	VE TO SUPPLEMENT RECORD;
	[FROFOSED] ORDER; Ca	300 110. 4.23-07-1024-J31

Pursuant to Civil Local Rules 6-2 and 7-12, the Plaintiffs, with consent of the Defendants, jointly seek leave for Plaintiffs to supplement the record in support of their pending Motion for Preliminary Injunction (ECF No. 47) with declarations concerning enforcement efforts that are occurring subsequent to the filing of the motion. The motion was filed on March 3, 2025. By Stipulated Order (ECF No. 51), the briefing schedule was amended as follows:

Event	Due Date
Defendants' Response to Plaintiff's Motion for Preliminary Injunction	April 11, 2025
Plaintiffs' Reply in Support of the Motion for Preliminary Injunction	April 18, 2025
Motions for Leave to File Amicus Briefs	April 18, 2025
Hearing on the Motion for Preliminary Injunction	May 22, 2025, at 2:00 p.m. or another date TBD by the Court

In the ordinary course, Plaintiffs would file their supplemental declarations with their reply brief on April 18. The parties have agreed, however, that Plaintiffs may file the supplemental declarations earlier—no later than Monday, April 7, 2025—to allow Defendants an opportunity to respond to them in their opposition brief.

Granting Plaintiffs leave to supplement the record prior to filing their reply will have no effect on the current briefing schedule or hearing date.

For these reasons, the Parties stipulate and respectfully request that the Court grant Plaintiffs leave to file, on or before Monday, April 7, 2025, supplemental declarations concerning events that have occurred after their Motion for Preliminary Injunction was filed.

DATED: April 3, 2025. Respectfully submitted,

/s/ Kenneth D. Upton, Jr.
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1	<u>ATTESTATION</u>		
2	2 In compliance with Civil L.R. 5-1(i)(3). I attest that	In compliance with Civil L.R. 5-1(i)(3). I attest that I have obtained concurrence in the filing	
3	3 of this document from each of the other signatories.	of this document from each of the other signatories.	
4	4 Dated: April 3, 2025. By: <u>/s/ Kenne</u>	eth D. Upton, Jr	
5	5 KENNE	ΓΗ D. UPTON, JR for Plaintiffs.	
6	6 Counsel	for Plaintiffs.	
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11		*Appearance Pro Hac Vice	
12	UNITED STATES DISTRICT COURT		
13	NORTHERN DISTRICT OF CALIFORNIA OAKLAND DIVISION		
14		Case No. 4:25-cv-1824-JST	
15	SAN FRANCISCO AIDS FOUNDATION, et al.;		
16	Plaintiffs,	DECLARATION OF KENNETH D. UPTON, JR. IN SUPPORT OF STIPULATED REQUEST TO	
17	V.	SUPPLEMENT RECORD	
18	DONALD J. TRUMP, in his official capacity as President of the United States, <i>et al.</i> ;		
19 20	Defendants.		
21	I, KENNETH D. UPTON, JR., declare as follows.		
22	I am Senior Counsel with Lambda Legal Defense and Education Fund, Inc., I am counsel		
23	of record for the plaintiffs, and I am authorized to make this declaration in support of the		
24	Parties' Stipulated Request for Leave to Supplement the Record. The following statements		
25	are within the scope of my personal knowledge and if called upon to do so, I could and		
26	would testify competently to the same.		
27			
28			
	DECLARATION OF KENNETH D. UPTO REQUEST FOR LEAVE TO SUPPLEME		

1	2. On March 21, 2025, the undersigned reached out to counsel for Defendants to			
2	inquire whether defendants would voluntarily agree not to take			
3	any grant or termination actions against the Plaintiffs until the			
4	pending preliminary injunction motion could be heard on May			
5	22;			
6	• update counsel for Defendants that at least one Plaintiff had			
7	received information that some of its funding would be			
8	terminated, and others were learning that termination notices			
9	were imminent; and			
10	offer to file supplemental declarations setting forth the evolving			
11	subsequent events in advance of Defendants' deadline to file their			
12	opposition brief so counsel would have an opportunity to address			
13	the termination efforts if they chose to do so.			
14	3. That same day, counsel for Defendants responded, declining to voluntarily stay an			
15	termination actions, acknowledging the additional information provided, and agreeing t			
16	early filing of supplemental declarations no later than Monday, April 7, 2025.			
17				
18	I declare under penalty of perjury according to the laws of the United States that the			
19	foregoing is true and correct.			
20	Executed this 3rd day of April 2025, at Chicago, Illinois.			
21				
22	/s/ Kenneth D. Upton, Jr. Kenneth D. Upton, Jr.			
23	Counsel for Plaintiffs			
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## [PROPOSED] ORDER PURSUANT TO STIPULATION, IT IS SO ORDERED. Plaintiffs are granted leave to supplement the record in support of their Motion for Preliminary Injunction (ECF No. 47) with additional declarations, to be filed on or before Aprill 7, 2025, describing events that have occurred after they filed their pending motion. DATED: THE HONORABLE JON S. TIGAR United States District Judge

STIPULATED REQUEST FOR LEAVE TO SUPPLEMEN RECORD; [PROPOSED] ORDER, Case No. 4:25-cv-1824-JST