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**Appearance Pro Hac Vice*

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**UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 OAKLAND DIVISION**

SAN FRANCISCO AIDS FOUNDATION,
et al.;

Plaintiffs,

v.

DONALD J. TRUMP, in his official capacity as
 President of the United States, *et al.*;

Defendants.

Case No. 4:25-cv-1824-JST

**STIPULATED REQUEST FOR LEAVE
 TO SUPPLEMENT RECORD IN
 SUPPORT OF PLAINTIFFS' MOTION
 FOR A PRELIMINARY INJUNCTION;
 [PROPOSED] ORDER**

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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ATTESTATION

In compliance with Civil L.R. 5-1(i)(3), I attest that I have obtained concurrence in the filing of this document from each of the other signatories.

Dated: April 3, 2025.

By: /s/ Kenneth D. Upton, Jr.

KENNETH D. UPTON, JR
Counsel for Plaintiffs.

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NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

SAN FRANCISCO AIDS FOUNDATION,
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Plaintiffs,

v.

DONALD J. TRUMP, in his official capacity as
President of the United States, *et al.*;

Defendants.

Case No. 4:25-cv-1824-JST

**DECLARATION OF KENNETH D.
UPTON, JR. IN SUPPORT OF
STIPULATED REQUEST TO
SUPPLEMENT RECORD**

I, KENNETH D. UPTON, JR., declare as follows.

1. I am Senior Counsel with Lambda Legal Defense and Education Fund, Inc., I am counsel of record for the plaintiffs, and I am authorized to make this declaration in support of the Parties' Stipulated Request for Leave to Supplement the Record. The following statements are within the scope of my personal knowledge and if called upon to do so, I could and would testify competently to the same.

2. On March 21, 2025, the undersigned reached out to counsel for Defendants to

- inquire whether defendants would voluntarily agree not to take any grant or termination actions against the Plaintiffs until the pending preliminary injunction motion could be heard on May 22;
- update counsel for Defendants that at least one Plaintiff had received information that some of its funding would be terminated, and others were learning that termination notices were imminent; and
- offer to file supplemental declarations setting forth the evolving subsequent events in advance of Defendants' deadline to file their opposition brief so counsel would have an opportunity to address the termination efforts if they chose to do so.

3. That same day, counsel for Defendants responded, declining to voluntarily stay any termination actions, acknowledging the additional information provided, and agreeing to early filing of supplemental declarations no later than Monday, April 7, 2025.

I declare under penalty of perjury according to the laws of the United States that the foregoing is true and correct.

Executed this 3rd day of April 2025, at Chicago, Illinois.

/s/ Kenneth D. Upton, Jr.
Kenneth D. Upton, Jr.
Counsel for Plaintiffs

[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 April 7, 2025, describing events that have occurred after they filed their pending motion.

DATED: _____

THE HONORABLE JON S. TIGAR
United States District Judge