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May 30, 2019

The Honorable Scott S. Harris
Clerk of the Court
Supreme Court of the United States
One First Street, N.E.
Washington, D.C. 20543

Re: *Department of Commerce, et al. v. New York, et al.*, No. 18-966

Dear Mr. Harris:

The petition for a writ of certiorari before judgment in the above-captioned case was granted on February 15, 2019, and the Court heard oral argument on April 23, 2019.

Respondents New York Immigration Coalition, et al., respectfully inform the Court that they filed today the attached motion in the district court for an order to show cause whether sanctions or other appropriate relief are warranted in light of new evidence contradicting the sworn testimony of Secretary Ross's expert advisor A. Mark Neuman and senior DOJ official John Gore, and representations by Petitioners to the district court, in this case. Ex. 1, NYIC Pls.' Letter Mot. for an Order to Show Cause, *State of New York v. U.S. Dep't of Commerce*, No. 18-CV-2921 (S.D.N.Y. May 30, 2019), ECF No. 587. A hearing on the matter has been scheduled in the district court for Wednesday, June 5 at 3:00pm EST.

The new evidence reveals that Dr. Thomas Hofeller, a longtime redistricting specialist, played a significant role in orchestrating the addition of the citizenship question to the 2020 Decennial Census in order to create a structural electoral advantage for, in his own words, "Republicans and Non-Hispanic Whites," and that Petitioners obscured his role through affirmative misrepresentations.

The attached copy of the letter motion, Ex. 1, which was filed publicly with the district court today contains redactions to certain testimony of Mr. Neuman over which Petitioners have asserted deliberative process privilege. An unredacted version of the letter motion is on file with the district court.

Respectfully submitted,



Dale E. Ho
*Counsel of Record for
Respondents New York
Immigration Coalition, et al.*

cc: See attached service list

SERVICE LIST: No. 18-966, *Department of Commerce, et al. v. New York, et al.*

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