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**UNITED STATES DISTRICT COURT
DISTRICT OF OREGON
PORTLAND DIVISION**

Ayman Latif, et al.,

Plaintiffs,

v.

Eric H. Holder, Jr., et al.,

Defendants.

No. 3:10-cv-750-BR

PLAINTIFFS' NOTICE OF SUPPLEMENTAL AUTHORITY

As supplemental authority in support of their Cross-Motion for Partial Summary Judgment, Plaintiffs respectfully submit the Public Notice and Summary of Findings of Fact and Conclusions of Law After Bench Trial ("Public Notice"), attached as Exhibit A and issued on January 14, 2014 in *Rahinah Ibrahim v. Department of Homeland Security, et al.*, No. C06-00545-WHA (N.D. Cal.).

The Public Notice summarizes a provisionally-sealed order granting relief to a nonimmigrant alien plaintiff who was placed on the No Fly List and denied boarding on a plane, which, the court held, constituted "concrete, reviewable adverse government action." Public Notice at 1–2. The court afforded the plaintiff an opportunity to show that the government's action "resulted from an error," and concluded that the plaintiff had made that showing. *Id.* at 2. The court further concluded that (1) due process mandates that the government "cleanse and/or correct its lists and records" of mistaken information and "certify under oath that such correction(s) have been made," and (2) administrative remedies afforded by the government "fall

short of such relief and do not supply sufficient due process.” *Id.* Finally, the court ordered the government to disclose to the plaintiff her status on, or off, the No Fly List. *Id.*

In sum, the district court’s decision in *Ibrahim* is grounded in due process concerns—the basis for Plaintiffs’ constitutional challenge in this matter—and appears to grant relief similar to the relief Plaintiffs seek from this Court.

Dated: January 15, 2014

Respectfully submitted,

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