

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK**

STATE OF NEW YORK, *et al.*,

Plaintiffs,

v.

UNITED STATES DEPARTMENT OF  
COMMERCE, *et al.*,

Defendants.

No. 1:18-cv-2921 (JMF)

NEW YORK IMMIGRATION  
COALITION, *et al.*,

Plaintiffs,

v.

UNITED STATES DEPARTMENT OF  
COMMERCE, *et al.*,

Defendants.

No. 1:18-cv-5025 (JMF)

**NOTICE OF FILING SUPPLEMENTAL MATERIALS PURSUANT TO THE COURT'S  
JULY 3, 2018 ORDER**

Defendants hereby file supplemental materials pursuant to the Court's July 3, 2018 order. Given the volume of these materials and the fact that they are publicly available at <http://www.osec.doc.gov/opog/FOIA/Documents/CensusProd001.zip>, Defendants do not intend to file them directly on the docket. Rather, Defendants will provide the Court with a courtesy copy of the above-referenced supplemental materials in electronic format. Defendants can also provide Counsel for the State of New York with these materials in electronic format upon request.

Defendants maintain their position that this challenge to a final agency action is properly reviewed, if at all, on the basis of the administrative record produced by the Department of Commerce on June 8 and 21, 2018. *See* ECF Nos. 173 and 189, *New York v. U.S. Dep't of Commerce*, No. 18-cv-2921 (JMF). Given, however, the Court's July 3, 2018 Order, Defendants have collected and are producing a broader set of materials than would normally be considered appropriate for an administrative record. This release will take place over two filings this week due to the volume of the additional production. *See* ECF No. 211, *New York v. U.S. Dep't of Commerce*, No. 18-cv-2921 (JMF).

Respectfully submitted,

GEOFFREY S. BERMAN  
United States Attorney for the  
Southern District of New York  
86 Chambers St., 3rd Floor  
New York, NY 10007

CHAD A. READLER  
Acting Assistant Attorney General

BRETT A. SHUMATE  
Deputy Assistant Attorney General

JOHN R. GRIFFITHS  
Director, Federal Programs Branch

CARLOTTA P. WELLS  
Assistant Director, Federal Programs Branch

/s/ Stephen Ehrlich

KATE BAILEY  
GARRETT COYLE  
STEPHEN EHRLICH  
CAROL FEDERIGHI  
Trial Attorneys  
United States Department of Justice  
Civil Division, Federal Programs Branch  
20 Massachusetts Ave., N.W.  
Washington, DC 20530  
Tel.: (202) 305-9803  
Fax: (202) 616-8470  
Email: stephen.ehrlich@usdoj.gov

*Counsel for Defendants*