

FOR IMMEDIATE RELEASE Media Contact: Dan Loeterman, 617-921-7025, <u>dan@cerrell.com</u>

Dreamers Sue to Block Repeal of DACA; First Lawsuit From DACA Recipients Includes Six Extraordinary Plaintiffs

SAN FRANCISCO, Sept. 18, 2017 – Six recipients of the Deferred Action for Childhood Arrivals (DACA) program – a remarkable group of plaintiffs who embody the American Dream and the powerful stories of nearly 800,000 "Dreamers" across the country – filed suit in federal court today to block the Trump Administration from ending the program.

The "Dreamers case" is the first lawsuit from DACA beneficiaries, each of whom would face potentially devastating consequences from the termination of DACA.

The plaintiffs have each overcome significant challenges to achieve professional success and find ways to give back to their communities. They include two middle school teachers who work with at-risk youth, a formerly homeless attorney who put herself through college and law school by working multiple jobs, a medical student who is also earning a Master of Public Health degree from Harvard, a Ph.D. candidate in clinical psychology, and a law student. They argue that the decision to end DACA is an unprecedented violation of the constitutional rights of Dreamers who relied on the federal government to honor its promises.

"The United States is the only home I've ever known. The DACA program has meant not living in fear, and the opportunity to graduate from law school and build a business. And despite the Administration's cruel choice to end DACA, we know that our American Dream shouldn't have an expiration date," said Dulce Garcia, one of the plaintiffs. "Like so many other Americans, we love our country and we're ready to fight for our freedom."

Representing the plaintiffs are some of the country's most accomplished Supreme Court litigators and constitutional law experts, including one attorney who is himself a Dreamer. The legal team includes Ted Boutrous, Ethan Dettmer, Jesse Gabriel, and Katie Marquart of Gibson, Dunn & Crutcher; Dean Erwin Chemerinsky of UC Berkeley Law School; Harvard Law professor and noted constitutional law expert Laurence Tribe; Mark Rosenbaum and Judy London from Public Counsel; Professor Leah Litman from UC Irvine; and Luis Cortes Romero, a DACA recipient and practicing attorney who has represented Dreamers in other high-profile litigation.

"The decision to end DACA is not only inexplicable and immoral, it is unconstitutional," said Ted Boutrous. "These young people were able to attend college, open businesses, and give back to their communities because they trusted the government to honor its promises and live up to its word. In suddenly and arbitrarily breaking those promises, the government is in direct violation of the Due Process Clause and federal law." The lawsuit was filed in the United States District Court for the Northern District of California. The suit argues that the government, in asking Dreamers to come forward and identify themselves in exchange for the protection to live and work in the United States, perpetrated a cruel bait and switch. The suit also argues that this betrayal of trust was in violation of the equal protection component of the Fifth Amendment and Federal law, including the Administrative Procedure Act.

"The case we file today turns on a principle that needs no elaboration. It is that, if our Constitution prohibits anything, it's the Executive Branch luring blameless young people to emerge from the shadows only to pull a cruel 'bait and switch' with the pursuit of the American Dream," said Laurence Tribe.

"This lawsuit is about keeping the American Dream within reach for nearly a million young people. They have worked hard and given back to their country and their communities," said Mark Rosenbaum. "By breaking its word with the Dreamers, this Administration violated not just the law but the promise of an equal opportunity for their generation."

The plaintiffs are seeking equitable and injunctive relief to enjoin this unlawful and unconstitutional action, and are requesting that the Court compel the government to honor its promises and uphold its end of the DACA bargain.

About the plaintiffs:

DULCE GARCIA

Ms. Garcia is an attorney in San Diego, California. She earned her bachelor's degree from the University of California, San Diego and her law degree from the Cleveland-Marshall College of Law. She was brought to the United States from Mexico when she was four years old.

VIRIDIANA CHABOLLA MENDOZA

Ms. Chabolla is a first-year law student at the University of California, Irvine School of Law and a graduate of Pomona College. She was brought to the United States from Mexico when she was two years old.

JIRAYUT ("NEW") LATTHIVONGSKORN

Mr. Latthivongskorn is a fourth-year medical student at the University of California, San Francisco School of Medicine. He is also a candidate for a Master of Public Health degree from the School of Public Health at Harvard University. Mr. Latthivongskorn was brought to the United States from Thailand when he was nine years old.

NORMA RAMIREZ

Ms. Ramirez is a candidate for a Ph.D. in clinical psychology from the Fuller Theological Seminary in Pasadena, California. Ms. Ramirez was brought to the United States from Mexico when she was five years old. Since 2016, Ms. Ramirez has worked at an outpatient clinic in Monrovia, California, providing school and home-based therapy to patients in English and Spanish.

MIRIAM GONZALEZ AVILA

Ms. Gonzalez is a teacher at Crown Preparatory Academy in Los Angeles, California. She is also a candidate for a Master of Urban Education, Policy and Administration from Loyola Marymount University, and attended college at UCLA, graduating in 2016. Ms. Gonzalez was brought to the United State from Mexico when she was six years old.

SAUL JIMENEZ SUAREZ

Mr. Jimenez is former college football player and a special education teacher, coach, and mentor in Los Angeles, California. Mr. Jimenez was brought to the United States from Mexico when he was one year old.

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