

**Contact:** Christy Setzer, [christy@newheightscommunications.com](mailto:christy@newheightscommunications.com) or  
Aurora Matthews, [aurora@newheightscommunications.com](mailto:aurora@newheightscommunications.com), 301-221-7984  
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## **JUDGE STAYS CONSIDERATION OF PRELIMINARY INJUNCTION, ORDERS CASE TO MOVE FORWARD IN IRANIAN-AMERICAN ORGS CASE AGAINST TRUMP TRAVEL BAN**

### ***U.S. Federal Court Hears Iranian-Americans' Stories, is Troubled by Government's Actions***

**Washington, D.C.**—Today, federal judge Judge Tanya S. Chutkan issued an order expressing her belief that the preliminary injunction motion filed by four prominent Iranian-American organizations – Pars Equality Center, Iranian American Bar Association, National Iranian American Council, and Public Affairs Alliance of Iranian Americans – and more than 15 individual plaintiffs, is “likely to succeed on the merits” – meaning the Trump administration’s travel ban Executive Order is likely unlawful. But the Court stayed consideration of, or ruling on, the parties’ preliminary injunction motion pending resolution of the two national injunctions on the Executive Order currently in place, and appeals of the same. Judge Chutkan assured that, “in the event that both existing injunctions are overturned, this court is prepared to issue a ruling without delay.” She further ordered the parties to continue ahead “to avoid undue delay in this litigation.”

“We are pleased that Judge Chutkan wrote that she believes that the travel ban is likely unlawful,” said Cyrus Mehri. “Judge Chutkan is seriously troubled by the government's actions and is ready to step in if any existing injunction is rolled back. Judge Chutkan did not agree with the government's arguments that there was no merit to our claims and that she has ordered the litigation to move forward. However, we would have preferred for the Court to rule on other key issues in the case, such as the ongoing irreparable harm that the organizations and individual plaintiffs continue to suffer. We will continue to vigorously prosecute this case.”

Hearings for the lawsuit were held on April 18 and April 21 in Washington, D.C. The first hearing featured live testimony from two of the organizations, which was the only time in any of the travel ban cases where the court heard directly from those harmed.

The Iranian-American community has been and continues to be significantly and adversely impacted by the travel ban. State Department data released last week shows that in March 2017, the Government issued 40 percent fewer visas to citizens of the listed countries than it did in any average month in 2016.<sup>1</sup> The number of visas issued to Iranians dropped precipitously— from 2,450 per month in 2016 to 1,572 in March 2017— notwithstanding the nationwide injunctions against both the January 27 and March 6 Executive Orders.

Declarations filed by the individuals and organizations showed how the travel ban is continuing to cause harm to the Iranian-American community, including:

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<sup>1</sup> Yeganeh Torbati, Number of U.S. Visas to Citizens of Trump Travel Ban Nations Drop, Reuters, April 27, 2017

Consular processes have not been restored to the status quo before the travel bans: The declarations show that visa appointments that were cancelled have not been restored; that individuals whose visas were cancelled have been forced to re-start the applications process; and that the visa applications of individuals who had previously traveled to the United States have been summarily denied without explanation. Individuals are also confused about the rules that currently apply to visa and refugee processing and, based on the Government's conduct and inconsistent statements, fear more sudden changes in the future.

Wreaking havoc on Iranian American families: The declarations include accounts of wedding plans being disrupted, of families being forced to disconnect from each other, and medical conditions worsened by the travel ban.

Disrupting the Academic, Research and Student Communities: The declarations highlight disruption to college, graduate and law students of Iranian descent - which not only stymie their own education but erode their academic, research and other contributions to U.S. universities.

Harm to Refugees: The declarations show examples of harm to refugee applicants whose applications are not being processed despite the nationwide injunction in place, and who continue to fear for their physical safety.<sup>2</sup>

Harm to U.S. Democracy: The capricious nature of the travel ban and its destructive impact on the Iranian-American community undercuts democracy at home and abroad and makes America less safe.

*Pars Equality* is prosecuted by Iranian-American civil rights lawyer Cyrus Mehri with his Washington, DC-based firm Mehri & Skalet, PLLC; the Lawyers Committee for Civil Rights Under Law; and pro bono counsel, Arnold & Porter Kaye Scholer.

To learn more about the lawsuit, visit [endthetavelban.com](http://endthetavelban.com).

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<sup>2</sup> See Karoun Demirjian & Abigail Hauslohner, 'Refugee processing has ground to a halt': A group of senators wants to know why, Wash. Post, May 4, 2017