

1 Alycia A. Degen (SBN 211350)
adegen@sidley.com
2 Sean A. Commons (SBN 217603)
scommons@sidley.com
3 SIDLEY AUSTIN LLP
555 West Fifth Street
4 Los Angeles, CA 90013
Telephone: +1 213 896 6010
5 Facsimile: +1 213 896 6600

6 Ahilan T. Arulanantham (SBN 237841)
aarulanantham@aclusocal.org
7 ACLU FOUNDATION
OF SOUTHERN CALIFORNIA
8 1313 West 8th Street
Los Angeles, CA 90017
9 Telephone: +1 213 977 5211
Fax: +1 213 977 5297

10 Jessica Karp Bansal (SBN 277347)
jbansal@ndlon.org
11 Emilou MacLean (SBN 319071)
emi@ndlon.org
12 NATIONAL DAY LABORER
ORGANIZING NETWORK
13 674 S. La Fayette Park Place
Los Angeles, CA 90057
14 Telephone: +1 213 380 2214
15 Fax: +1 213 380 2787

16 Attorneys for Plaintiffs
[Additional Counsel Listed on Next Page]

18 UNITED STATES DISTRICT COURT
19 NORTHERN DISTRICT OF CALIFORNIA
20 SAN FRANCISCO

21 CRISTA RAMOS, *et al.*,

22 Plaintiffs,

23 vs.

24 KIRSTJEN NIELSEN, *et al.*,

25 Defendants.

Case No. 3:18-cv-1554-EMC

**DECLARATION OF EBTIHAL ABDALLA
IN SUPPORT OF PLAINTIFFS' MOTION
FOR PRELIMINARY INJUNCTION**

Date: September 25, 2018

Time: 10:30 a.m.

Judge: Hon. Edward M. Chen

Dept.: Courtroom 5, 17th Floor

Complaint Filed: March 12, 2018

Trial Date: None set

1 *Additional Counsel for Plaintiffs*

2 William S. Freeman (SBN 82002)
wfreeman@aclunc.org
3 ACLU FOUNDATION
OF NORTHERN CALIFORNIA
4 39 Drumm Street
San Francisco, California 94111
5 Telephone: +1 415 621 2493
Fax: +1 415 863 7832

6 Mark E. Haddad (SBN 205945)
markhadd@usc.edu
7 Part-time Lecturer in Law
8 USC Gould School of Law*
University of Southern California
9 699 Exposition Boulevard
Los Angeles, CA 90089-0071
10 Telephone: +1 213 675 5957

11 Nicole M. Ryan (SBN 175980)
nicole.ryan@sidley.com
12 Ryan M. Sandrock (SBN 251781)
rsandrock@sidley.com
13 SIDLEY AUSTIN LLP
555 California Street
14 Suite 2000
San Francisco, CA 94104
15 Telephone: +1 415 772 1219
Facsimile: +1 415 772 7400

16 Amanda Farfel (SBN 288126)
afarfel@sidley.com
17 Andrew B. Talai (SBN 300053)
atalai@sidley.com
18 Marisol Ramirez (SBN 307069)
marisol.ramirez@sidley.com
19 Mohindra Rupram (SBN 319478)
mrupram@sidley.com
20 SIDLEY AUSTIN LLP
555 West Fifth Street
21 Los Angeles, CA 90013
22 Telephone: +1 213 896 6000
23 Facsimile: +1 213 896 6600

24 Katelyn N. Rowe (SBN 318386)
krowe@sidley.com
25 SIDLEY AUSTIN LLP
26 1999 Avenue of the Stars, 17th Floor
Los Angeles, CA 90067
27 Telephone: +1 310 595 9598
28 Facsimile: +1 310 595 9501

1 Jessica Fishfeld (*Pro Hac Vice*)
jfishfeld@sidley.com
2 SIDLEY AUSTIN LLP
3 One South Dearborn
Chicago, IL 60603
4 Telephone: +1 312 853 2031
Facsimile: +1 312 853 7036
5 * *Institution listed for identification purposes only*

6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

DECLARATION OF EBTIHAL ABDALLA

1
2 1. I have personal knowledge of the facts stated in this declaration. If sworn as a
3 witness, I could and would testify to these facts.

4 2. My husband and I applied for Temporary Protected Status (TPS) for ourselves and
5 our baby daughter soon after Sudan was re-designated for TPS in November 1999. We renewed TPS
6 consistently since then. In September 2017, the U.S. government announced that TPS for Sudan
7 would be formally terminated on November 2, 2018.

8 3. I am submitting this declaration to describe the harms my family and I have
9 experienced since this announcement, and the harm we will suffer if TPS is terminated for Sudan.

10 **Background**

11 4. I am from Sudan and am 43 years old.

12 5. I married my husband Abubakr Ahmed in Sudan in 1995. Together, Abubakr and I
13 have three daughters. Our oldest daughter, Salma, was born in January 1997 in Sudan. She has lived
14 in the United States and had TPS since she was a baby. We gave birth to our two younger daughters
15 in the United States—Samar soon after we arrived, and Sara in 2006.

16 6. Our daughters are 21, 18 and 12 years old. Salma is in college with dreams of
17 becoming a doctor. Samar studies engineering at the University of Illinois at Chicago. Sara just
18 began seventh grade and likes to study, play sports, and work on the school newspaper.

19 7. I have a Bachelors degree in media from the University of Ombdurman in Sudan.
20 Before coming to the United States, I worked and volunteered in different humanitarian
21 organizations in Sudan providing support to displaced families. While in the United States, I attained
22 a qualification to teach preschool and an early childhood education certificate. I worked as a
23 preschool teacher for almost seven years and an elementary school teaching assistant for two years. I
24 currently do not work outside the home.

25 8. My husband earned a Bachelors degree in architecture and engineering in Sudan. We
26 came to the United States so that he could pursue an advanced degree. He attained a Masters degree
27 in 2004. He currently works at American Group Trucking.

28 9. Since 2007, my family and I have lived in Chicago, Illinois. Before that, we lived in

1 Dearborn, Michigan.

2 **Impact of Temporary Protected Status**

3 10. Because TPS for Sudan was renewed repeatedly since it was first granted, and the
4 conditions in Sudan continued to be unsafe, we came to rely on TPS to provide my husband,
5 daughter and me with legal status and humanitarian protection in the United States. Over the years,
6 we have grown more deeply involved in our community and our lives here—with my children
7 working towards their educational and professional dreams, and my husband and I working, saving
8 money, and building strong ties here. We also relied on TPS for my family to remain together, and
9 feel secure.

10 11. Based on my family's experience with TPS over the years, I believed the U.S.
11 government would continue to renew TPS for Sudan as long as the circumstances in Sudan did not
12 significantly improve. I have maintained some contact with family in Sudan who have continued to
13 inform me about the conflict, violence, and insecurity there. Because of this, I did not expect that the
14 U.S. government would terminate TPS for Sudan, and neither did my family. The government's
15 recent decision terminating TPS for Sudan has been a tremendous shock.

16 **Impact of Decision to Terminate TPS**

17 12. Our lives have been shattered by the decision to terminate TPS for Sudan. If TPS is
18 terminated, I do not know what our family will do.

19 13. It does not feel safe to return to Sudan for myself or my family.

20 14. I worry about how our children would cope if we were forced to move to Sudan.
21 None of our daughters have ever lived in Sudan—besides my eldest daughter for the first two years
22 of her life. In short visits that my family has taken to Sudan during my daughters' childhood, they
23 have often struggled to communicate comfortably with people, including close family members, as
24 they do not speak Arabic fluently. They also have often not felt that they fit in as the environment
25 and culture is quite different from what they have grown up with.

26 15. We have not returned to Sudan in recent years. In the past twenty years, I have only
27 returned briefly and occasionally to Sudan for short visits, with advance parole, while our children
28 were younger. We have no life to return to in Sudan. We know that there remains political violence,

1 security concerns, and constant instability.

2 16. Separating our family and leaving behind our daughters, is unthinkable. My youngest
3 daughter is only in middle school. My family has always lived together and been very close. Neither
4 my children nor my husband and I would know how to cope with being apart from one another.

5 17. Yet the idea of being without legal status in the United States terrifies me. I would
6 feel vulnerable and afraid constantly.

7 18. If TPS is terminated, it is my understanding that my husband will lose his
8 employment authorization and his drivers license. He is the primary breadwinner for the family, and
9 his income depends on his ability to drive. The loss of his ability to work legally and drive would be
10 devastating for the whole family. My daughter Salma and I would also lose our legal status and
11 employment authorization documents.

12 19. The announcement that TPS will be terminated has detrimentally affected my health.
13 I have suffered from depression since the announcement. I often cry uncontrollably. I used to have
14 one or two migraines a year and now I have serious migraines approximately two or three times a
15 month—sometimes causing me to wake up in the middle of the night. The only other time I had this
16 many migraines was the month that my mother died.

17 20. Recently, a psychiatrist diagnosed me with severe depression and prescribed
18 medications. She also suggested that I be hospitalized because my symptoms were so severe. I had
19 never been to a psychiatrist before or had any severe psychological symptoms. My symptoms started
20 almost immediately after the announcement that TPS for Sudan would be terminated.

21 21. I feel powerless to help myself and my family. I find myself constantly looking at the
22 calendar and counting down the days until I will lose my status. I have a difficult time eating and
23 sleeping. Sometimes, I am unable to eat a meal for two days straight.

24 22. I spend most of the time inside and cannot bear to leave the house. Before the
25 announcement, I was very active in my daughters' education and in my community. My life has
26 changed completely. I struggle even to go to my youngest daughter's school.

27 23. I was approached earlier this year about a possible teaching job. I felt that we needed
28 the additional income, and the distraction would help me. But I was unable to take the job as I was

1 too stressed and anxious to leave the house.

2 24. My husband and I have stopped making purchases, large and small, as it is too
3 overwhelming in our current state of uncertainty. We rent our home and had been planning to buy,
4 but know that we cannot. We were also planning to buy a new car but can no longer. I often cannot
5 even bring myself to buy clothes or household necessities.

6 25. If my health is already severely affected by the fear of losing my status, I cannot
7 imagine how my health would be affected by actually being without status.

8 **Impact of TPS Termination on Daughter with TPS**

9 26. I am also very worried about my oldest daughter, Salma, because the termination of
10 TPS will likely affect her ability to finish her studies and pursue her dreams. She has had TPS nearly
11 her whole life; the United States is the only country she has really lived in. She comes to me every
12 day with fears about her future.

13 27. After high school, because TPS limited her access to certain financial aid available to
14 other students, Salma decided to go to a community college, which has been free because of her
15 grades, and then transition to a four-year college. She is now nearly finished with her necessary
16 coursework at Harold Washington Community College where she is taking the maximum amount of
17 credits possible, in addition to working half-time.

18 28. Salma is set to complete her community college coursework in December 2018, one
19 semester ahead of schedule, but fears she will not be able to make the transition to a four-year
20 university as planned if TPS is terminated the month before. She would lose her ability to work
21 legally in the United States, which she needs to help pay for the tuition costs, and she would lose her
22 legal status, which we believe will limit her access to a substantial scholarship she has already been
23 awarded.

24 29. Salma also was unable to pursue an out-of-state internship this summer because of the
25 uncertainty about her TPS status. She expressed to me that we may have precious little time left as a
26 family together and she needed to be with us. Also, she said her second greatest priority this summer
27 was to earn an income—to save up money and prepare for the worst. She worked full-time this
28 summer in addition to going to school.

Impact of TPS Termination on U.S. Citizen Children

1
2 30. My husband and I only recently told our youngest daughter Sara that we have TPS—
3 and that our legal immigration status is now in jeopardy. It made her sad and distracted at school.
4 Sara has always been an exceptional student, active, and social. But after the TPS announcement,
5 Sara's teacher informed me that Sara was struggling and the teacher was worried about her. Sara
6 told us that she was worried that we might not be able to remain. She is only 12 years old, and will
7 either have to spend her formative years without us or move to a country that is not her home. My
8 other daughter Samar does not want to accept the possibility that we could lose our status.

9 I declare under penalty of perjury that the foregoing is true and correct.

10 Signed this 22 day of August, 2018 in Chicago, Illinois.

11
12 Ebtihal M. Abdalla
13 Ebtihal Abdalla