Request for City Council Committee Action from the City Attorney's Office

Date: June 16, 2010

To: Intergovernmental Relations

Subject: *Friendly House, et al. v. Whiting, et al.*, Case No. CV 10-1061 (U.S. District Court, District of Arizona)

Recommendation: That authorization be provided for the City of Minneapolis to join in a friend of the court brief in support of the plaintiffs in the case of *Friendly House, et al. v. Whiting, et al.*, seeking an injunction to prevent enforcement of the new Arizona immigration law.

Previous Directives: None

Department Information

Prepared by: Susan Segal, City Attorney, 673-3272

Approved by: Susan Segal
Susan Segal
City Attorney

Presenters in Committee: Susan Segal, City Attorney

Financial Impact
No financial impact

Community Impact
Indirect; This lawsuit however, while related to matters in Arizona, seeks to overturn a statute that would be detrimental to public safety and equal protection.

Supporting Information

On May 17, 2010 a number of non-profit, union, church and minority chamber of commerce groups as well as individual plaintiffs filed a class action lawsuit in the U.S. District Court for the District of Arizona, *Friendly House, et al. v. Whiting, et al.*, seeking that the court declare Arizona's new immigration law unconstitutional and to enjoin enforcement of the law. The lawsuit alleges that the new law violates the Supremacy Clause, Equal Protection, the First and Fourth Amendments, Due Process and the Right to Travel provisions of the U.S. Constitution, Due Process under the Arizona Constitution and Section 1981 of the federal civil rights law.

A number of cities and counties from outside Arizona, including a number of California cities and counties and the cities of Baltimore, Portland, St. Paul and Seattle have joined to seek permission to file a friend of the court brief in support of the lawsuit challenging the Arizona statute. The City Attorney's Office is seeking authorization for the City of Minneapolis to join in the motion for and as a signatory to the friend of the court brief.