



February 6, 2017

United States Court of Appeals for the Ninth Circuit  
1010 Fifth Avenue  
Seattle, WA 98104

Robert W. Ferguson,  
Attorney General, Washington State  
Office of the Attorney General  
800 Fifth Avenue, Suite 2000  
Seattle, WA 98104

Lori Swanson  
Attorney General, Minnesota  
Office of the Attorney General  
445 Minnesota Street, Suite 1100  
St. Paul, MN 55101

Noel J. Francisco  
Acting Solicitor General  
Civil Division, Room 7241  
U.S. Department of Justice  
950 Pennsylvania Avenue, NW  
Washington DC 20530

RE: State of Washington & State of Minnesota v. Trump, Case No. 17-35105  
Pivotal Software, Inc.'s Joinder Letter in Lieu of Amicus Brief

To the Court and Counsel:

I write on behalf of Pivotal Software, Inc. pursuant to the Circuit Advisory Committee Note to Rule 29-1 to express Pivotal's support for and joinder in the factual statements and arguments submitted to the Court in the February 5, 2017 Motion for Leave to File Brief of Technology Companies and Other Businesses as Amicus Curiae in Support of Appellees, and the Brief attached thereto (ECF No. 19).

Pivotal Software, Inc. is a leading technology company and its operations are affected by the Executive Order issued on January 27, 2017, entitled "Protecting the Nation from Foreign Terrorist Entry into the United States." As set forth in the amicus brief, the Order represents a significant departure from the principles of fairness and predictability that have governed the immigration system of the United States for more than fifty years—and the Order inflicts significant harm on American business, innovation, and growth as a result. The Order makes it more difficult and expensive for U.S. companies to recruit, hire, and retain some of the world's best employees. It disrupts ongoing business operations. And it threatens companies' ability to attract talent, business, and investment to the United States.

Respectfully submitted,

s/ Andrew M. Cohen

---

Andrew M. Cohen  
SVP, General Counsel & Corporate Secretary

9th Circuit Case Number(s)

**NOTE:** To secure your input, you should print the filled-in form to PDF (File > Print > PDF Printer/Creator).

\*\*\*\*\*

**CERTIFICATE OF SERVICE**

**When All Case Participants are Registered for the Appellate CM/ECF System**

I hereby certify that I electronically filed the foregoing with the Clerk of the Court for the United States Court of Appeals for the Ninth Circuit by using the appellate CM/ECF system on (date)  .

I certify that all participants in the case are registered CM/ECF users and that service will be accomplished by the appellate CM/ECF system.

Signature (use "s/" format)

\*\*\*\*\*

**CERTIFICATE OF SERVICE**

**When Not All Case Participants are Registered for the Appellate CM/ECF System**

I hereby certify that I electronically filed the foregoing with the Clerk of the Court for the United States Court of Appeals for the Ninth Circuit by using the appellate CM/ECF system on (date)  .

Participants in the case who are registered CM/ECF users will be served by the appellate CM/ECF system.

I further certify that some of the participants in the case are not registered CM/ECF users. I have mailed the foregoing document by First-Class Mail, postage prepaid, or have dispatched it to a third party commercial carrier for delivery within 3 calendar days to the following non-CM/ECF participants:

Signature (use "s/" format)