

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

AMERICAN ACADEMY OF RELIGION; AMERICAN
ASSOCIATION OF UNIVERSITY PROFESSORS;
PEN AMERICAN CENTER; TARIQ RAMADAN,

Plaintiffs,

v.

MICHAEL CHERTOFF, in his official capacity as
Secretary of the Department of Homeland Security;
CONDOLEEZZA RICE, in her official capacity as
Secretary of State,

Defendants.

Case No. 06-588 (PAC)

PLAINTIFFS' MOTION FOR SUMMARY JUDGMENT

Pursuant to Rule 56 of the Federal Rules of Civil Procedure, plaintiffs in the above-captioned action respectfully move the Court to enter summary judgment in their favor. In this suit, plaintiffs challenge the government's violation of their First Amendment and statutory rights by its continuing exclusion of Tariq Ramadan, a prominent Swiss scholar. Plaintiffs also challenge the facial validity of section 411(a)(1)(A)(iii) of the USA Patriot Act, as amended and codified in 8 U.S.C. § 1182(a)(3)(B)(i)(VII), a provision that permits the executive branch to exclude aliens on the basis of speech that United States citizens and residents have a constitutional right to hear. There are no genuine issues of material fact in dispute. For the reasons stated in the attached Memorandum in Support of Plaintiffs' Motion for Summary Judgment, plaintiffs are entitled to judgment as a matter of law. Plaintiffs respectfully request oral argument.

Respectfully submitted,

s/Jameel Jaffer

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