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Counsel for Defendants

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA**

)	
PATRICK S. RYAN,)	Case No. 3:20-cv-05948-VC
)	
Plaintiff,)	NOTICE REGARDING
)	IMPLEMENTATION OF
v.)	EXECUTIVE ORDER 13942
)	
DONALD J. TRUMP, President of the United)	Date: September 15, 2020
States, and WILBUR ROSS, Secretary of)	Time: 9:00am
Commerce,)	Place: San Francisco, CA
)	Judge: Hon. Vince Chhabria
Defendants.)	
)	

Defendants in the above-captioned matter hereby provide notice to the Court of certain assurances that were sent to Plaintiff, via counsel. *See* Exhibit 1. That is, on September 14, 2020, at 9:24AM counsel for Defendants emailed a letter to Plaintiff's counsel which represented, among other things, the following assurances:

1. The Department of Commerce can state that it does not intend to implement or enforce Executive Order 13942 in a manner which would prohibit the payment of wages and/or salaries to Plaintiff or any other employee or contractor of TikTok.
2. The Department of Commerce can state that it does not intend to implement or enforce Executive Order 13942 in a manner which would prohibit the provision of benefits packages to Plaintiff or any other employee of TikTok.
3. The Department of Commerce can state that it does not intend to implement or enforce Executive Order 13942 in a manner which would result in the imputation of civil or criminal liability to Plaintiff or any other employee or contractor of TikTok for performing otherwise lawful actions that are part of their regular job duties and responsibilities.
4. The Department of Commerce cannot, however, offer assurances about the ways in which the corporate entities of ByteDance Ltd. and its subsidiary TikTok may be impacted and the ways in which ByteDance Ltd. and its subsidiary TikTok may elect to restructure or change employee payments, benefits packages, or duties, as a result of Executive Order 13942.

Because these assurances demonstrate that granting Plaintiff's motion will not provide him any meaningful relief, his motion for a temporary restraining order is now moot. For this reason, in addition to those set forth in Defendants' opposition brief, ECF No. 20, Plaintiff's motion should be denied. Pursuant to Plaintiff's request, his letter provided in response is attached here as Exhibit 2.

Dated: September 14, 2020

Respectfully submitted,

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/s/ Michael Drezner

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