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 12 \* *Motions for Pro Hac pending or forthcoming*

13 UNITED STATES DISTRICT COURT  
 14 FOR THE NORTHERN DISTRICT OF CALIFORNIA

15 JANAN VARGHESE JACOB, et al.,

16 Plaintiffs,

17 v.

18 JOSEPH R. BIDEN, et al.,

19 Defendants.

20 Case No. 3:21-cv-261-EMC

21 **PLAINTIFFS' SUBSTITUTION  
 22 OF PARTIES PURSUANT TO  
 23 FEDERAL RULES OF CIVIL  
 24 PROCEDURE, RULE 25(d)**

25 **PLAINTIFFS' SUBSTITUTION OF PARTIES PURSUANT TO FEDERAL**  
 26 **RULES OF CIVIL PROCEDURE, RULE 25(d)**

27 Plaintiffs, by and through counsel, and pursuant to Fed.R.Civ.P. 25(d), hereby substitute  
 28 JOSEPH R. BIDEN as a named party in place of DONALD J. TRUMP. In support of this  
 substitution, Plaintiffs state as follows:

1. At the time this suit was filed, defendant DONALD J. TRUMP was President of  
 the United States and was a named party to this action in his official capacity as President of the

1 United States.

2 2. As of January 20, 2021, defendant DONALD J. TRUMP is no longer President of  
3 the United States.

4 3. As of January 20, 2021, JOSEPH R. BIDEN is President of the United States.

5 4. Under Fed.R.Civ.P. 25(d)(1), “[w]hen a public officer is a party to an action in an  
6 official capacity and during his pendency ... ceases to hold office, the action does not abate and  
7 the officer’s successor is automatically substituted as a party.”

8 5. Given that defendant DONALD J. TRUMP was sued in his official capacity as  
9 President of the United States and is no longer President, and that JOSEPH R. BIDEN is now  
10 President of the United States, Plaintiffs, pursuant to Fed.R.Civ.P. 25(d), hereby substitute  
11 JOSEPH R. BIDEN, in his official capacity as President of the United States, as a party  
12 defendant in lieu of the original, and previously named defendant DONALD J. TRUMP, former  
13 President of the United States.  
14  
15

16 Dated: January 20, 2021

Respectfully submitted,

17 /s/ Curtis Lee Morrison

18  
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**CERTIFICATE OF SERVICE**

On the below date, I electronically filed the **SUBSTITUTION OF PARTIES PURSUANT TO FEDERAL RULES OF CIVIL PROCEDURE, RULE 25(d)**, with the Clerk of the United States District Court for the Northern District of California, using the CM/ECF System. The Courts CM/ECF System will send an electronically email all noticed parties to the action who are registered with the Court's CM/ECF System.

Dated: January 20, 2021  
Rancho Santa Margarita, California

/s/ Curtis Lee Morrison  
Curtis Lee Morrison, Esq.  
*Attorney for the Plaintiffs*