

**AGS COURT WATCH**  
(as of 5/5/2025)

We created *AGS Court Watch* to update our AGS members on the status of the various court challenges to executive orders and directives issued by the Executive Branch. This resource is updated frequently.

AGS Court Watch		
Original Filing Date	Lawsuits (organized by Executive Branch Action)	Last Update
<p><b>Executive Branch Action:</b> The <a href="#">Establishing And Implementing The President's "Department Of Government Efficiency"</a> Executive Order (DOGE EO) does not establish a new cabinet-level department (which the President does not have the authority to do). Instead, the DOGE EO renamed the United States Digital Service, which had been launched in 2014 by the Obama Administration to improve the federal government's digital capabilities following rollout of HealthCare.gov. DOGE, which is under the leadership of Elon Musk, reports directly to the Executive Office of the President and the EO directs the entity to modernize technology and software across the federal government.</p>		
1/20/2025	<p><i>Public Citizen Litigation Group, et al. v. Donald J. Trump, in his official capacity as President of the United States; Office of Management and Budget</i> (consolidated with <a href="#">American Public Health Association, et al. v. Office of Management and Budget, et al.</a> and <a href="#">Lentini, et al. v. Department of Government Efficiency, et al.</a>)</p> <p>Plaintiffs in this <a href="#">complaint</a> are seeking declaratory, injunctive, and mandamus relief against Defendants to ensure that the so-called “Department of Government Efficiency” (DOGE) complies with the requirements established by the Federal Advisory Committee Act (FACA), 5 U.S.C. §§ 1001 et seq.</p> <p><b>Filed in:</b> United States District Court for the District of Columbia.</p> <p><b>Prior Actions</b></p> <ul style="list-style-type: none"> <li>• <b>1/20/2025:</b> <a href="#">Complaint</a> challenging the legality of DOGE.</li> <li>• <b>2/18/2025:</b> District Judge Jia Cobb <a href="#">granted</a> defendants’ motion to consolidate this case with <a href="#">American Public Health Association v. Office of Management and Budget</a> and <a href="#">Lentini v. Department of Government Efficiency</a>.</li> <li>• <b>3/3/2025:</b> Plaintiffs in <i>Public Citizen Litigation Group v. Donald J. Trump</i> filed a voluntary <a href="#">notice of dismissal</a>.</li> <li>• <b>3/5/2025:</b> Plaintiffs in <i>American Public Health Association v. Office of Management and Budget</i> and <i>Lentini v. Department of Government Efficiency</i> filed <a href="#">motion to expedite briefing</a> and adjudication of their motion for expedited discovery noting it is urgently needed for a preliminary injunction motion that is forthcoming. Defendants filed <a href="#">opposition to motion</a> to expedite briefing due to plaintiffs not establishing urgency.</li> </ul>	<p><b>4/11/2025:</b> Defendants filed <a href="#">motion to dismiss</a> for lack of jurisdiction and for failure to state a claim upon which relief may be granted.</p>

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	<ul style="list-style-type: none"> <li>• <b>3/6/2025:</b> Judge Cobb denied motion to expedite briefing given plaintiffs did not clearly explain the nature of the urgency and upcoming deadlines in other matters making an expedited schedule infeasible.</li> <li>• <b>3/13/2025:</b> Joint motion filed for <a href="#">briefing schedule</a>: Defendants will file motion to dismiss by 4/11/2025; plaintiffs will file opposition to motion to dismiss by 5/13/2025; and defendants will file reply in support of motion to dismiss by 5/28/2025.</li> <li>• <b>3/19/2025:</b> Defendants filed <a href="#">opposition to motion</a> for expedited discovery seeking expedited extraordinary relief given it is not the norm and plaintiffs filed <a href="#">reply to opposition to motion</a> highlighting the thrust of the motion is to answer, what is DOGE?</li> <li>• <b>3/25/2025:</b> Judge Cobb <a href="#">denied</a> <i>Lentini</i> plaintiffs' motion for expedited discovery because the showing required was not made.</li> </ul>	
2/3/2025	<p><i>Alliance for Retired Americans, American Federation of Government Employees, Service Employees International Union v. Scott Bessent, in his official capacity as Secretary of the Treasury; Department of the Treasury; Bureau of the Fiscal Service</i></p> <p>Plaintiffs in this <a href="#">complaint</a> are seeking declaratory and injunctive relief on behalf of members whose records may have been transmitted from the Treasury Department to DOGE employees alleging violations of the Administrative Procedure Act (APA) and actions in excess of legal authority under the Privacy Act of 1974 (see contemporaneous <i>ABC News</i> <a href="#">reporting</a>).</p> <p><b>Filed in:</b> United States District Court for the District of Columbia</p> <p><b>Prior Actions</b></p> <ul style="list-style-type: none"> <li>• <b>2/6/2025:</b> The Department of Justice (DOJ) agreed to a court <a href="#">order</a> limiting the number of DOGE employees with access to the payment systems and to “read only” access (see contemporaneous <a href="#">coverage</a> from <i>The Hill</i>).</li> <li>• <b>2/12/2025:</b> Defendants filed <a href="#">opposition to motion for preliminary injunction</a> and requested court 2/6/2025 order be dissolved.</li> <li>• <b>2/20/2025:</b> District Judge Colleen Kollar-Kotelly <a href="#">granted</a> defendants' unopposed motion to modify the 2/6/2025 order deferring ruling on the motion for a temporary restraining order (TRO).</li> <li>• <b>2/25/2025:</b> Following a hearing on the motion for a preliminary injunction the previous day, the court <a href="#">ordered</a> the defendants to file the administrative record underlying the decisions challenged in the case by 3/11/2025.</li> </ul>	<p><b>4/25/2025:</b> Plaintiffs filed <a href="#">cross-motion for summary judgment</a> and <a href="#">opposition to defendants' motion</a> to dismiss or in the alternative for summary judgment.</p>

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	<ul style="list-style-type: none"> <li>• <b>2/26/2025:</b> <a href="#">Joint status report</a> submitted describing defendants' plan to file a motion to dismiss or for summary judgment and plaintiffs' plan to file opposition to aforementioned defendants' motion.</li> <li>• <b>3/7/2025:</b> Judge Kollar-Kotelly <a href="#">denied</a> plaintiffs' motion for a preliminary injunction and dissolved the 2/20/2025 interim order <a href="#">noting</a> that the plaintiffs' motion falls short of the standard for a preliminary injunction in the absence of "both certain and great" evidence of injury. Defendants are ordered to file their motion to dismiss or for summary judgment on or before 3/10/2025 and plaintiffs are ordered to file a combined opposition and cross-motion for summary judgment by 4/14/2025.</li> <li>• <b>3/17/2025:</b> Plaintiffs filed <a href="#">motion for expedited discovery</a> due to the gaps and inconsistencies in the administrative record and additional information defendants compiled that would impede meaningful judicial review.</li> <li>• <b>3/19/2025:</b> Defendants filed <a href="#">opposition to motion</a> for expedited discovery due to failure to show exceptions to the rule of record review in APA cases and plaintiffs filed <a href="#">reply to opposition to motion</a> for discovery as defendants' record lacks explanation about the implementation of the DOGE EO.</li> <li>• <b>3/20/2025:</b> Judge Kollar-Kotelly <a href="#">granted in part and denied in part</a> the motion for expedited discovery directing plaintiffs to promptly serve an amended version of discovery requests and extended the briefing schedule.</li> <li>• <b>4/11/2025:</b> Defendants filed <a href="#">motion to dismiss</a> or for a summary judgment in favor of defendants.</li> </ul>	
2/7/2025	<p><i>State of New York, et al. v. Donald J. Trump, in his official capacity as President of the United States, et al.</i></p> <p>Led by New York Attorney General Letitia James, 19 states filed a <a href="#">lawsuit</a> against the Trump Administration (including Scott Bessent in his official capacity as Secretary of the Treasury and the Department of the Treasury) to stop unauthorized access to the Treasury Department data on millions of Americans through federal payment systems (see contemporaneous <a href="#">coverage</a> from MSN).</p> <p><b>Filed in:</b> United States District Court for the Southern District of New York</p> <p><b>Prior Actions</b></p> <ul style="list-style-type: none"> <li>• <b>2/8/2025:</b> District Judge Paul Engelmayer issued a <a href="#">TRO</a>, writing that the court believed the plaintiffs would face "irreparable harm in the absence of injunctive relief (see contemporaneous <a href="#">coverage</a> from ABC News).</li> <li>• <b>2/14/2025:</b> Preliminary injunction hearing held before District Judge Jeannette Vargas.</li> </ul>	<p><b>5/1/2025:</b> Defendants filed <a href="#">motion to vacate</a> the preliminary injunction and <a href="#">memorandum of law</a> in support of motion.</p>

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	<ul style="list-style-type: none"> <li>• <b>2/21/2025:</b> Judge Vargas issued a <a href="#">preliminary injunction</a> to block members of DOGE from accessing the Treasury Department’s payment and data systems containing personally identifiable information and/or confidential financial information of payees and continued the TRO already in place.</li> <li>• <b>3/3/2025:</b> Defendants sent a <a href="#">letter</a> to Judge Vargas requesting to confirm scope of preliminary injunction given the belief that the software used by the Internal Revenue Service, the Procurement for Public Sector (PPS) does not contain any personally identifiable information or federal tax information.</li> <li>• <b>3/4/2025:</b> Plaintiffs sent a <a href="#">letter</a> to Judge Vargas opposing defendants’ letter due to lack of filing a formal motion or demonstration of irreparable harm to support modification of the preliminary injunction.</li> <li>• <b>3/5/2025:</b> Defendants submitted <a href="#">report</a> in support of motion to partially dissolve the preliminary injunction and outlining compliance to preliminary injunction requirements.</li> <li>• <b>3/7/2025:</b> Plaintiffs submit <a href="#">memorandum of law</a> in support of motion for reconsideration of zone-of-interests ruling (protecting only personal identifying information of individuals). Plaintiffs explained that statutory language and legislative history demonstrate that Congress intended to promote both individuals’ interest in protecting their information as well as interests of States in protecting security and integrity of records with personally identifying information. Judge Vargas <a href="#">modified</a> the preliminary injunction to exclude PPS software from access restrictions.</li> <li>• <b>3/10/2025:</b> Judge Vargas <a href="#">ordered</a> defendants to file motion to partially dissolve preliminary injunction by 3/10/2025 and by 3/14/2025 defendants to file opposition to motion for reconsideration and plaintiffs to file opposition to motion to partially dissolve the preliminary injunction. Defendants filed <a href="#">motion to partially dissolve</a> the preliminary injunction as to Treasury employee Ryan Wunderly in order for him to begin modernizing and strengthening the Treasury Department’s information technology systems.</li> <li>• <b>3/14/2025:</b> Defendants filed <a href="#">memorandum of law in opposition</a> to 3/7/2025 motion for reconsideration of zone-of-interests ruling and plaintiffs filed <a href="#">memorandum of law</a> in opposition to 3/10/2025 motion to partially dissolve the preliminary injunction.</li> <li>• <b>3/17/2025:</b> Plaintiffs filed <a href="#">reply memorandum of law in support of motion for reconsideration</a> and defendants filed <a href="#">reply memorandum of law in support of motion to partially dissolve</a> preliminary injunction.</li> <li>• <b>3/21/2025:</b> Plaintiffs filed <a href="#">sur-reply addressing declarations</a> in reply to support motion to partially dissolve.</li> <li>• <b>4/3/2025:</b> Plaintiffs provided <a href="#">supplemental authority</a> on recent controlling authority from the U.S. Supreme Court on its decision in <i>Food and Drug Administration v. Wages and White Lion</i></li> </ul>	

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	<p><i>Investments</i> that bears on argument raised on “change-in-position doctrine” to agency action under the APA in opposition to defendants’ motion to partially dissolve the preliminary injunction.</p> <ul style="list-style-type: none"> <li>• <b>4/11/2025:</b> Judge Vargas <a href="#">granted</a> defendants’ motion to partially dissolve the preliminary injunction and denied plaintiffs’ motion for reconsideration.</li> </ul>	
<p><b>Executive Branch Action:</b> On 1/27/2025, OMB issued <a href="#">Memorandum M-25-13, Temporary Pause of Agency Grant, Loan, Other Financial Assistance Programs</a> that directed a freeze in activities related to the obligation or disbursement of all federal grants, loans, and financial assistance, including the issuance of new grants. <b>M-25-13</b> was intended to provide guidance to federal agencies to ensure all programs and activities are consistent with President Trump’s policies (see <a href="#">recap</a> from National Law Review as of 2/3/2025).</p>		
1/28/2025	<p><i>National Council of Nonprofits, American Public Health Association, Main Street Alliance, SAGE v. Office of Management and Budget, Matthew Vaeth, in his official capacity as Acting Director of Office of Management and Budget</i></p> <p>Plaintiffs in this <a href="#">complaint</a> are seeking a TRO to maintain the status quo until the Court has an opportunity to more fully consider the illegality of OMB’s actions.</p> <p><b>Filed in:</b> United States District Court for the District of Columbia</p> <p><b>Prior Actions</b></p> <ul style="list-style-type: none"> <li>• <b>1/28/2025:</b> The court entered a brief administrative stay to permit the parties to fully brief the TRO motion and buy the court time to deliberate.</li> <li>• <b>1/29/2025:</b> The defendants submitted a <a href="#">notice</a> that OMB rescinded the M-25-13 memorandum.</li> <li>• <b>2/3/2025:</b> District Judge Loren AliKhan issued a <a href="#">TRO</a> pausing the M-25-13 directive and denied the defendants’ motion for dismissal. The order directed OMB to release the frozen funds by 2/7/2025 and notify agencies of the TRO.</li> <li>• <b>2/11/2025:</b> The plaintiffs filed a motion for <a href="#">preliminary injunction</a> to block another precipitous blanket freeze that will be difficult to unwind given the slow process by which funds have become unfrozen.</li> <li>• <b>2/12/2025:</b> <a href="#">Amicus brief</a> filed by American Center for Law and Justice in support of the defendants.</li> <li>• <b>2/15/2025:</b> Defendants filed a <a href="#">memorandum in opposition</a> to plaintiffs’ motion for preliminary injunction.</li> <li>• <b>2/18/2025:</b> Plaintiffs filed a <a href="#">reply</a> in support of motion for preliminary injunction.</li> <li>• <b>2/20/2025:</b> During a hearing on the motion for preliminary injunction, Judge AliKhan ordered that the TRO will remain in place and a preliminary injunction ruling will be issued.</li> </ul>	<p><b>4/24/2025:</b> Defendants filed <a href="#">notice of decision to appeal</a> to the US Court of Appeals for the District Columbia Circuit from the preliminary injunction.</p>

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1/28/2025	<p><i>New York, et al v. Donald J. Trump, et al.</i></p> <p>Plaintiffs (22 states’ attorneys general) in this <a href="#">complaint</a> are seeking declaratory and injunctive relief and vacatur with respect to the OMB’s Directive for Heads of Executive Departments and Agencies (M-25-13) against President Trump, all federal agencies, and the heads of each agency.</p> <p><b>Filed in:</b> United States District Court for the District of Rhode Island</p> <p><b>Prior Actions</b></p> <ul style="list-style-type: none"> <li>• <b>1/31/2025:</b> District Judge John McConnell issued an indefinite <a href="#">TRO</a>.</li> <li>• <b>2/6/2025:</b> During a virtual court hearing, Judge McConnell noted that state agencies had a “rightful concern” that states were still unable to fully access money.</li> <li>• <b>2/7/2025:</b> Plaintiff states’ filed a <a href="#">motion</a> for enforcement of the TRO that details the ways the defendants are in violation of the TRO.</li> <li>• <b>2/10/2025:</b> Judge McConnell <a href="#">ordered</a> that the defendants must immediately comply with the existing TRO.</li> <li>• <b>2/14/2025:</b> The United States Court of Appeals for the First Circuit issued a <a href="#">voluntary dismissal</a> of defendants’ motion to appeal the decision.</li> </ul>	<p><b>4/28/2025:</b> Defendants filed <a href="#">notice of decision to appeal</a> to the US Court of Appeals for the First Circuit from the enforcement of the preliminary injunction as to FEMA funding.</p>

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<b>Executive Branch Action:</b> On 2/7/2025, the National Institutes of Health (NIH) released the <a href="#">Supplemental Guidance to the 2024 NIH Grants Policy Statement: Indirect Cost Rates</a> (IC Guidance) that unilaterally reduced indirect costs to 15%. According to NIH, ICs are costs that cannot be easily tied to a specific project, such as the cost of common elements, facilities, operation, maintenance, and administrative expenses that benefit multiple projects.		
2/10/2025	<p><i>Commonwealth of Massachusetts, et al. v. National Institutes of Health, et al.</i></p> <p>In this <a href="#">complaint</a>, plaintiffs (22 states' attorneys general) are seeking declaratory and injunctive relief and requesting a TRO that would prevent the new NIH policy from being implemented in the 22 states (see reporting from <a href="#">Roll Call</a> and <a href="#">STATNews</a>).</p> <p><b>Filed in:</b> United States District Court for the District of Massachusetts</p> <p><b>Prior Actions</b></p> <ul style="list-style-type: none"> <li>• <b>2/10/2025:</b> District Judge Angel Kelley granted an emergency motion for <a href="#">TRO</a> and imposed a reporting requirement to confirm compliance.</li> <li>• <b>2/18/2025:</b> Plaintiffs filed a <a href="#">reply</a> in support of a TRO.</li> <li>• <b>2/21/2025:</b> Judge Kelley ordered an extension of the existing TRO until a further order is issued resolving the request for a preliminary injunction during the motion hearing.</li> <li>• <b>2/25/2025:</b> Defendants submitted a <a href="#">status report</a> that confirms the defendants have not implemented, applied, or enforced the IC Guidance and that pending further order of the court, defendants will not implement the IC Guidance.</li> <li>• <b>3/5/2025:</b> Judge Kelley granted a <a href="#">nationwide preliminary injunction</a> and determined that NIH failed to comply with the APA and did not submit the IC Guidance for notice-and-comment rulemaking, which is required without exception since the IC Guidance is a legislative rule (see <a href="#">reporting</a> from <i>STATNews</i>).</li> <li>• <b>4/4/2025:</b> Defendants filed <a href="#">assented-to motion</a> to convert order on preliminary injunction into order on permanent injunction and enter final judgment without prejudice to defendants' right to appeal from that order and judgment – entering a final judgment would facilitate prompt and efficient review by the First Circuit. Judge Kelley in response entered <a href="#">final judgment and permanent injunction</a> following review of defendants' motion (see contemporaneous <a href="#">reporting</a> from <i>The New York Times</i>).</li> </ul>	<p><b>4/8/2025:</b> Defendants filed <a href="#">notice of appeal</a> to the U.S. Court of Appeals for the First Circuit from final judgment and permanent injunction.</p>
2/10/2025	<p><i>Association of American Medical Colleges, et al. v. National Institutes of Health, et al.</i></p> <p>Plaintiffs (including American Association of Colleges of Pharmacy, Association for Schools and Programs of Public Health, Conference of Boston Teaching Hospitals, Greater New York Hospital</p>	<p><b>4/8/2025:</b> Defendants filed <a href="#">notice of appeal</a> to the U.S. Court of Appeals for the First</p>



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	<p>Association) in this <a href="#">complaint</a> are seeking declaratory and injunctive relief against the defendants (including NIH Acting Director, the Department of Health and Human Services (HHS), and HHS Acting Secretary) alleging that the Rate Change Notice is invalid under the APA and seek to enjoin any actions taken to implement its directives.</p> <p><b>Filed in:</b> United States District Court for the District of Massachusetts</p> <p><b>Prior Actions</b></p> <ul style="list-style-type: none"> <li>• <b>2/10/2025:</b> Judge Mary Page Kelley issued a nationwide <a href="#">TRO</a> against the IC Guidance effective until further order of the court (see <a href="#">reporting</a> from Inside Higher Education).</li> <li>• <b>2/14/2025:</b> Defendants filed an <a href="#">opposition</a> to the motion for TRO.</li> <li>• <b>2/18/2025:</b> Plaintiffs filed a <a href="#">reply</a> in support of a TRO.</li> <li>• <b>2/21/2025:</b> Judge Kelley ordered an extension of the existing TRO until further order issued resolving the request for a preliminary injunction during the motion hearing.</li> <li>• <b>2/26/2025:</b> Defendants submitted a <a href="#">status report</a> that confirms the defendants have not implemented, applied, or enforced the IC Guidance and that pending further order of the court, defendants will not implement the IC Guidance.</li> <li>• <b>3/5/2025:</b> Judge Kelley granted a <a href="#">nationwide preliminary injunction</a> and determined that NIH failed to comply with the APA and did not submit the IC Guidance for notice-and-comment rulemaking, which is required without exception since the IC Guidance is a legislative rule (see <a href="#">reporting</a> from <i>STATNews</i>).</li> <li>• <b>4/4/2025:</b> Defendants filed <a href="#">assented-to motion</a> to convert order on preliminary injunction into order on permanent injunction and enter final judgment without prejudice to defendants' right to appeal from that order and judgment – entering a final judgment would facilitate prompt and efficient review by the First Circuit. Judge Kelley in response entered <a href="#">final judgment and permanent injunction</a> following review of defendants' motion (see contemporaneous <a href="#">reporting</a> from <i>The New York Times</i>).</li> </ul>	<p>Circuit from final judgment and permanent injunction.</p>
2/10/2025	<p><i>Association of American Universities, et al. v. Department of Health and Human Services, et al.</i></p> <p>Plaintiffs (including American Council on Education (ACE), Association of Public and Land-Grant Universities, and 13 universities) in this <a href="#">complaint</a> are seeking a declaratory judgment that the IC Guidance is unlawful and for preliminary and permanent injunctive relief.</p> <p><b>Filed in:</b> United States District Court for the District of Massachusetts</p>	<p><b>4/8/2025:</b> Defendants filed <a href="#">notice of appeal</a> to the U.S. Court of Appeals for the First Circuit from final judgment and permanent injunction.</p>

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	<p><b>Prior Actions</b></p> <ul style="list-style-type: none"> <li>• <b>2/10/2025:</b> Defendants filed <a href="#">motion</a> for TRO. In a <a href="#">statement</a>, ACE noted that a TRO was not needed given that Judge Kelly’s order was nationwide.</li> <li>• <b>2/21/2025:</b> Judge Kelley ordered an extension of the existing TRO until a further order is issued resolving the request for a preliminary injunction during the motion hearing.</li> <li>• <b>3/5/2025:</b> Judge Kelley granted a <a href="#">nationwide preliminary injunction</a> and determined that NIH failed to comply with the APA and did not submit the IC Guidance for notice-and-comment rulemaking, which is required without exception since the IC Guidance is a legislative rule (see contemporaneous <a href="#">reporting</a> from <i>STATNews</i>).</li> <li>• <b>4/4/2025:</b> Defendants filed <a href="#">assented-to motion</a> to convert order on preliminary injunction into order on permanent injunction and enter final judgment without prejudice to defendants’ right to appeal from that order and judgment – entering a final judgment would facilitate prompt and efficient review by the First Circuit. Judge Kelley in response entered <a href="#">final judgment and permanent injunction</a> following review of defendants’ motion (see contemporaneous <a href="#">reporting</a> from <i>The New York Times</i>).</li> </ul>	
<p><b>Executive Branch Action:</b> The <a href="#">Reevaluating and Realigning United States Foreign Aid</a> EO (Foreign Aid EO) directed that no more foreign assistance will be disbursed in a manner that is not consistent with the policy of the President of the United States with an immediate 90-day pause. On 1/24/2025, Secretary of State Marco Rubio <a href="#">ordered</a> the pausing all foreign assistance pending a review and issued <a href="#">stop-work orders</a> for the United States Agency for International Development (USAID) (see contemporaneous <a href="#">coverage</a> from <i>NBC News</i>). On 2/4/2025, a message was posted on the USAID website that all directly hired USAID staff would be placed on administrative leave as of 11:59pm ET on 2/7/2025. On 2/5/2025, <i>Foreign Policy</i> published an article, "<a href="#">The Chaos at USAID, Explained,</a>" that provided a summary of what had been going on at the agency since AGS first reported on this EO (<a href="#">1/29/2025 issue of Last Week in Washington</a>).</p>		
2/10/2025	<p><i>AIDS Vaccine Advocacy Coalition, Journalism Development Network v. United States Department of State, et al.</i></p> <p>Plaintiffs in this <a href="#">complaint</a> are seeking declaratory and injunctive relief to stop the implementation of the EO and the stop-work order given that the EO exceeds the President’s constitutional authority and violates his duty under the Take Care Clause of the Constitution. Plaintiffs allege that the stop-work orders are arbitrary, capricious, and unconstitutional in violation of the APA, the Anti-Deficiency Act, and the Impoundment Control Act.</p> <p><b>Filed in:</b> United States District Court for the District of Columbia</p>	<p><b>5/2/2025:</b> Plaintiffs filed <a href="#">amended complaint</a>, adding The Center for Victims of Torture to the Plaintiff party.</p>

AGS Court Watch		
Original Filing Date	Lawsuits (organized by Executive Branch Action)	Last Update
	<p><b>Prior Actions</b></p> <ul style="list-style-type: none"> <li>• <b>2/12/2025:</b> Plaintiffs filed <a href="#">motion for a TRO</a> blocking the enforcement of the EO and State Department policy, and stop-work orders, as well as reinstating foreign assistance funding.</li> <li>• <b>2/13/2025:</b> District Judge Amir Ali granted a <a href="#">TRO</a> in this case and <i>Global Health Council v. Trump</i> enjoining the implementation on the foreign aid funding suspension.</li> <li>• <b>2/19/2025:</b> Plaintiffs filed <a href="#">emergency motion for TRO enforcement</a> and to hold defendants in civil contempt alleging that defendants' compliance "strains credulity."</li> <li>• <b>2/20/2025:</b> Defendants filed <a href="#">reply to opposition</a> to motion for TRO enforcement and civil contempt. Judge Ali <a href="#">granted</a> in part the motion for TRO enforcement and did not make a finding of contempt for this case and <i>Global Health Council v. Trump</i>.</li> <li>• <b>2/21/2025:</b> Defendants filed <a href="#">memorandum in opposition</a> to motions for preliminary relief.</li> <li>• <b>2/25/2025:</b> The court granted the <a href="#">motion for proposed order</a> requiring the defendants to pay all invoices and letter of credit drawdown requests for work completed prior to the TRO mandating that the defendants take no actions to impede and ensure prompt payment of appropriated funds going forward. Defendants submitted a <a href="#">notice of decision to appeal</a> the court's order and a <a href="#">motion to stay</a> the order pending appeal.</li> <li>• <b>2/26/2025:</b> Judge Ali <a href="#">denied</a> and the U.S. Court of Appeals for the District of Columbia Circuit <a href="#">dismissed</a> the motion for a stay. Defendants filed an <a href="#">application</a> with the U.S. Supreme Court to vacate the TRO and grant an immediate administrative stay. Chief Justice Roberts granted an <a href="#">administrative stay</a> and ordered plaintiffs to respond by 2/28/2025.</li> <li>• <b>2/27/2025:</b> Plaintiffs filed <a href="#">reply in support of motion</a> for preliminary relief.</li> <li>• <b>2/28/2025:</b> Plaintiffs in this case and <i>Global Health Council v. Trump</i> filed an <a href="#">opposition</a> to application to vacate order with the Supreme Court.</li> <li>• <b>3/3/2025:</b> Judge Ali ordered that preliminary injunction motions hearing planned for 3/4/2025 will be held on 3/6/2025. The expiration for the TRO remains on 3/10/2025 or the date the court resolves the preliminary injunction motions. Defendants filed a <a href="#">reply</a> in support of application to vacate in the Supreme Court.</li> <li>• <b>3/5/2025:</b> The Supreme Court <a href="#">vacated</a> the administrative stay entered by Chief Justice John Roberts and denied the Administration's application to vacate the TRO noting that Judge Ali should clarify the obligations of the TRO that must be fulfilled for compliance (see contemporaneous <a href="#">reporting</a> from <i>The Hill</i>).</li> <li>• <b>3/6/2025:</b> Judge Ali ruled that the defendants must pay the outstanding balances (nearly \$2 billion) to the plaintiffs in both <i>AIDS Advocacy Vaccine Coalition v. United States Department of State</i> and the <i>Global Health Council v. Trump</i> (see contemporaneous <a href="#">coverage</a> from CNN).</li> </ul>	

AGS Court Watch		
Original Filing Date	Lawsuits (organized by Executive Branch Action)	Last Update
	<ul style="list-style-type: none"> <li>• <b>3/10/2025:</b> Judge Ali <a href="#">granted in part and denied in part</a> the motion for preliminary injunction, preliminarily enjoining parts of the Foreign Aid EO that suspended congressionally appropriated foreign aid for violation of the APA and the separation of powers and rejected the request to invalidate the review and large-scale terminations that occurred after 2/13/2025 noting it is beyond proper relief. Defendants filed <a href="#">sur-reply to motion for TRO</a>.</li> <li>• <b>3/14/2025:</b> <a href="#">Joint status report</a> filed outlining the parties' inability to agree on defendants' compliance with the preliminary injunction and schedule for next steps.</li> <li>• <b>3/19/2025:</b> Defendants filed <a href="#">status report</a> outlining that the total number of payments processed to plaintiffs since 3/10/2025 was 146 and to non-plaintiffs was 2,047. The total number of payments which remain to be processed for plaintiffs is 540 and non-plaintiffs is 9,678.</li> <li>• <b>3/28/2025:</b> Judge Ali ordered the parties to meet and confer to attempt to resolve outstanding disputes around defendants' compliance and for defendants to include in their next status report the steps taken to comply with Court's directive on being "enjoined from unlawfully impounding congressionally appropriated foreign aid funds." Plaintiffs' <a href="#">response</a> to defendants' 3/19/2025 report on missed deadlines for payment and defendants' <a href="#">status report</a> filed on 3/27/2024 updating the processing of payments as of 3/26/2025, 5,851 payments to plaintiffs with 314 remaining and 5,750 remaining for non-plaintiffs.</li> <li>• <b>4/1/2025:</b> Defendants filed <a href="#">notice of appeal</a> to the U.S. Court of Appeals for the District of Columbia Circuit from the 3/10/2025 preliminary injunction order and all orders antecedent to such order and opinion.</li> <li>• <b>4/11/2025:</b> Defendants filed <a href="#">unopposed motion for partial administrative stay</a> of 3/10/2025 preliminary injunction and opposed motion for indicative ruling regarding preliminary injunction. Judge Ali granted the unopposed motion for partial administrative stay and stayed the requirement that the restrained defendants shall not withhold payments or letter of credit drawdowns completed prior to 2/13/2025 except as it relates to plaintiffs in both cases.</li> <li>• <b>4/17/2025:</b> Defendants filed <a href="#">status report</a> outlining that the total number of payments to Plaintiffs since 4/9/2025 was 26 and to non-Plaintiffs was 317 until the Court stayed such payments to non-Plaintiffs pending resolution of motion for indicative ruling based on <i>Department of Education v. California</i>.</li> <li>• <b>4/22/2025:</b> Defendants filed <a href="#">mandate</a> of the US Court of Appeals for the District of Columbia Circuit.</li> <li>• <b>4/25/2025:</b> Plaintiffs filed <a href="#">response to motion for indicative ruling</a> regarding preliminary injunction.</li> <li>• <b>5/1/2025:</b> Defendants filed <a href="#">status report</a> outlining that the total number of payments to Plaintiffs is 79 and expects to complete processing of remaining payments by 5/5/2025. Defendants also requested a briefing schedule that would enable disposition of the appeal from the preliminary injunction in advance of 9/30/2025.</li> </ul>	

AGS Court Watch		
Original Filing Date	Lawsuits (organized by Executive Branch Action)	Last Update
2/11/2025	<p><i>Global Health Council, et al. v. Donald J. Trump, in his official capacity as President of the United States of America, et al.</i></p> <p>Plaintiffs in this <a href="#">complaint</a> are seeking declaratory and injunctive relief to challenge the defunding of USAID, laying off/furloughing employees, and transferring USAID to be under the State Department.</p> <p><b>Filed in:</b> United States District Court for the District of Columbia</p> <p><b>Prior Actions</b></p> <ul style="list-style-type: none"> <li>• <b>2/11/2025:</b> Plaintiffs filed <a href="#">motion for TRO</a> to enjoin the EO and stop-work order.</li> <li>• <b>2/13/2025:</b> Judge Ali granted a <a href="#">TRO</a> in this case and <i>AIDS Vaccine Advocacy Coalition v. United States Department of State</i> enjoining the implementation of the foreign aid funding suspension.</li> <li>• <b>2/20/2025:</b> Judge Ali <a href="#">granted</a> in part the motion for TRO enforcement and did not make a finding of contempt for this case and <i>AIDS Vaccine Advocacy Coalition v. United States Department of State</i>.</li> <li>• <b>2/24/2025:</b> Plaintiffs filed <a href="#">emergency renewed motion</a> to enforce the TRO.</li> <li>• <b>2/25/2025:</b> The court granted the <a href="#">motion for proposed order</a> requiring the defendants to pay all invoices and letter of credit drawdown requests for work completed prior to the TRO mandating that the defendants take no actions to impede and ensure prompt payment of appropriated funds going forward. Defendants submitted <a href="#">notice of decision to appeal</a> the court's order and a <a href="#">motion to stay</a> the order pending appeal.</li> <li>• <b>2/26/2025:</b> Judge Ali <a href="#">denied</a> and the U.S. Court of Appeals for the District of Columbia Circuit <a href="#">dismissed</a> the motion for a stay. Defendants filed an <a href="#">application</a> with the U.S. Supreme Court to vacate the TRO and grant and immediate administrative stay. Chief Justice Roberts granted an <a href="#">administrative stay</a> and ordered plaintiffs to respond by 2/28/2025.</li> <li>• <b>2/27/2025:</b> Plaintiffs filed <a href="#">reply in support of motion</a> for preliminary injunction.</li> <li>• <b>2/28/2025:</b> Plaintiffs in this case and <i>AIDS Vaccine Advocacy Coalition v. United States Department of State</i> filed an <a href="#">opposition</a> to application to vacate order with the Supreme Court.</li> <li>• <b>3/3/2025:</b> Judge Ali ordered that preliminary injunction motions hearing planned for 3/4/2025 will be held on 3/6/2025. The expiration for the TRO remains on 3/10/2025 or the date the court resolves the preliminary injunction motions. Defendants filed a <a href="#">reply</a> in support of application to vacate in the Supreme Court.</li> <li>• <b>3/5/2025:</b> The Supreme Court <a href="#">vacated</a> the administrative stay entered by Chief Justice John Roberts and denied the Administration's application to vacate the TRO noting that Judge Ali should clarify the obligations of the TRO that must be fulfilled for compliance (see contemporaneous <a href="#">reporting</a> from <i>The Hill</i>).</li> </ul>	<p><b>5/4/2025:</b> Defendants filed <a href="#">notice of supplemental authority</a> related to the Court of Appeals motion to grant the government's motion for a stay pending appeal in <i>Widakuswara v. Lake</i> on indicative ruling as to the past-payments provision of the preliminary injunction and that the provision is predicated on contractual claims for monetary payment over which this DC Court lacks subject-matter jurisdiction.</p>

AGS Court Watch		
Original Filing Date	Lawsuits (organized by Executive Branch Action)	Last Update
	<ul style="list-style-type: none"> <li>• <b>3/6/2025:</b> Judge Ali ruled that the defendants must pay the outstanding balances (nearly \$2 billion) to the plaintiffs in both <i>AIDS Advocacy Vaccine Coalition v. United States Department of State</i> and the <i>Global Health Council v. Trump</i> (see contemporaneous <a href="#">coverage</a> from CNN).</li> <li>• <b>3/10/2025:</b> Judge Ali <a href="#">granted in part and denied in part</a> the motion for preliminary injunction, preliminarily enjoining parts of the Foreign Aid EO that suspended congressionally appropriated foreign aid for violation of the APA and the separation of powers and rejected the request to invalidate the review and large-scale terminations that occurred after 2/13/2025 noting it is beyond proper relief.</li> <li>• <b>3/14/2025:</b> <a href="#">Joint status report</a> filed outlining the parties' inability to agree on defendants' compliance with the preliminary injunction and schedule for next steps.</li> <li>• <b>3/19/2025:</b> Defendants filed <a href="#">status report</a> outlining that the total number of payments processed to plaintiffs since 3/10/2025 was 146 and to non-plaintiffs was 2,047. The total number of payments which remain to be processed for plaintiffs is 540 and non-plaintiffs is 9,678.</li> <li>• <b>3/27/2025:</b> Defendants filed <a href="#">status report</a> updating the processing of payments as of 3/26/2025, 5,851 payments to plaintiffs with 314 remaining and 5,750 remaining for non-plaintiffs.</li> <li>• <b>4/1/2025:</b> Defendants filed <a href="#">notice of appeal</a> to the U.S. Court of Appeals for the District of Columbia Circuit from the 3/10/2025 preliminary injunction order and all orders antecedent to such order and opinion.</li> <li>• <b>4/11/2025:</b> Defendants filed <a href="#">unopposed motion for partial administrative stay</a> of 3/10/2025 preliminary injunction and opposed motion for indicative ruling regarding preliminary injunction. Judge Ali granted the unopposed motion for partial administrative stay and stayed the requirement that the restrained defendants shall not withhold payments or letter of credit drawdowns completed prior to 2/13/2025 except as it relates to plaintiffs in both cases.</li> <li>• <b>4/17/2025:</b> Defendants filed <a href="#">status report</a> outlining that the total number of payments to Plaintiffs since 4/9/2025 was 26 and to non-Plaintiffs was 317 until the Court stayed such payments to non-Plaintiffs pending resolution of motion for indicative ruling based on <i>Department of Education v. California</i>.</li> <li>• <b>4/25/2025:</b> Plaintiffs filed <a href="#">opposition to motion for indicative ruling</a> and requested lift of the partial administrative stay.</li> <li>• <b>5/1/2025:</b> Defendants filed <a href="#">status report</a> outlining that the total number of payments to Plaintiffs is 79 and expects to complete processing of remaining payments by 5/5/2025. Defendants also requested a briefing schedule that would enable disposition of the appeal from the preliminary injunction in advance of 9/30/2025.</li> <li>• <b>5/2/2025:</b> Defendants filed <a href="#">reply in support of motion for indicative ruling</a> regarding preliminary injunction.</li> </ul>	



AGS Court Watch		
Original Filing Date	Lawsuits (organized by Executive Branch Action)	Last Update
2/6/2025	<p><i>American Foreign Service Association, American Federation of Government Employees v. Donald Trump, et al.</i></p> <p>Plaintiffs filed a <a href="#">complaint</a> seeking declaratory and injunctive relief alleging that the Administration took a series of unconstitutional and illegal actions that have systematically dismantled USAID which have generated a global humanitarian crisis with the intention to inflict imminent future harm. Plaintiffs are also seeking permanent injunction barring the Administration from taking action to dissolve USAID absent authorization of Congress.</p> <p><b>Filed in:</b> United States District Court for the District of Columbia</p> <p><b>Prior Actions</b></p> <ul style="list-style-type: none"> <li>• <b>2/7/2025:</b> District Judge Carl Nichols issued a <a href="#">TRO</a> that reinstated the 500 employees placed on administrative leave and delayed the deadline for the additional 2,200 employees to be placed on leave until February 14, 2025. Judge Nichols noted that a TRO to the funding freeze for USAID contractors is not warranted.</li> <li>• <b>2/13/2025:</b> Preliminary injunction hearing was held and Judge Nichols <a href="#">extended</a> the TRO to February 21, 2025, and amended the TRO to clarify that no USAID employees shall be involuntarily evacuated from their host countries.</li> <li>• <b>2/14/2025:</b> Defendants <a href="#">submitted a declaration</a> in response to the <a href="#">Court's questions</a> about government actions to protect the safety of USAID employees who are abroad and will be placed on leave as well as what benefits are accessible to abroad employees if they voluntarily choose to stay beyond the 30-day evacuation period (see <a href="#">reporting</a> from <i>ABC News</i>).</li> <li>• <b>2/21/2025:</b> Judge Nichols <a href="#">dissolved</a> the TRO and rejected the preliminary injunction because plaintiffs do not face irreparable harm and Court likely lacks jurisdiction over the plaintiffs' claims.</li> <li>• <b>3/10/2025:</b> Plaintiffs filed <a href="#">motion for summary judgment</a> claiming Court has jurisdiction.</li> <li>• <b>3/11/2025:</b> Plaintiffs filed an <a href="#">emergency motion for a TRO</a> alleging the defendants are destroying documents with possible relevance to the case, including USAID Acting Executive Secretary Erica Carr's email to staff on the clearance of "classified safes and personnel documents" and instructing to shred as many documents and use "burn bags for when the shred becomes unavailable or needs a break." Defendants filed <a href="#">memorandum in opposition</a> to motion to expedite.</li> <li>• <b>3/12/2025:</b> Defendants filed <a href="#">opposition to emergency motions</a> for TRO and plaintiffs filed <a href="#">reply to opposition</a> to motion to expedite.</li> <li>• <b>3/13/2025:</b> Plaintiffs filed <a href="#">notice of withdrawal of motion</a> for TRO based on defendants' supporting declaration and correspondence between Counsel that USAID will not destroy additional documents</li> </ul>	<p><b>4/28/2025:</b> Plaintiffs filed <a href="#">opposition to defendants' motion for extension</a> of time as injuries have not been ameliorated and worsen with time.</p>



AGS Court Watch		
Original Filing Date	Lawsuits (organized by Executive Branch Action)	Last Update
	<p>after 3/11/2025 without notifying plaintiffs and documents destroyed on 3/11/2025 were limited to documents that USAID no longer has a need to retain. Judge Nichols ordered that the motion to expedite briefing on summary judgment is granted in part, ordering defendants to submit motion to dismiss and opposition to motion for summary judgment by 4/7/2025 and plaintiffs to submit opposition to motion to dismiss and reply supporting summary judgment by 4/21/25.</p> <ul style="list-style-type: none"> <li>• <b>3/31/2025:</b> 202 members of Congress filed <a href="#">proposed amicus curiae brief</a> in support of plaintiffs' pending motion for summary judgment.</li> <li>• <b>4/7/2025:</b> Defendants filed <a href="#">motion to dismiss</a> or in the alternative, motion for summary judgment.</li> <li>• <b>4/21/2025:</b> Plaintiffs filed <a href="#">reply in support</a> of motion for summary judgment and in opposition to motion to dismiss or for summary judgment.</li> <li>• <b>4/24/2025:</b> Plaintiffs filed <a href="#">notice of supplemental authority</a> on <i>Widakuswara v. Lake</i> case decision partially granting motion for preliminary injunction seeking to enjoin dissolution of US Agency for Global Media.</li> </ul>	
<p><b>Executive Branch Action:</b> The <a href="#">Defending Women from Gender Ideology Extremism and Restoring Biological Truth to the Federal Government</a> EO (Gender EO) directed agencies to ensure that federal grant funds are not being used to promote “gender ideology” (see contemporaneous <a href="#">article</a> from <i>The Hill</i>). On 1/29/2025, the Office of Personnel Management (OPM) issued <a href="#">guidance</a> outlining steps agency heads should take regarding the Gender EO with requirements for agencies to take down all outward facing media, including websites and social media accounts, that promote gender ideology; terminate any programs, contracts, and grants that promote gender ideology; and withdraw any final or pending documents, directives, orders, regulations, materials, forms, communications, statements, and plans that promote gender ideology by 5:00 pm ET on 1/31/2025. On 1/31/2025, CDC Chief Science Officer sent, via email, a withdrawal order directing that all papers written or co-written by CDC researchers that are being considered by external medical or scientific journals for publication be withdrawn for review and removal based on a list of prohibited terms (see contemporaneous <a href="#">coverage</a> from <i>Reuters</i>).</p>		
2/4/2025	<p><i>Doctors for America; City and County of San Francisco v. Office of Personnel Management, Centers for Disease Control and Prevention, Food and Drug Administration, Department of Health &amp; Human Services.</i></p> <p>Plaintiffs in this <a href="#">complaint</a> are seeking declaratory judgements that the OPM guidance is unlawful and contend that the removal of key webpages and datasets creates a dangerous gap in the scientific data available to monitor and respond to disease outbreaks, deprives physicians of resources that guide clinical practice, and takes away key resources for communicating and engaging with patients.</p> <p><b>Filed in:</b> United States District Court for the District of Columbia</p> <p><b>Prior Actions</b></p>	<p><b>4/18/2025:</b> Defendants filed <a href="#">status report</a> on progress of reviewing relevant webpages and reported to not have further modified or removed any relevant webpage or content.</p>

AGS Court Watch		
Original Filing Date	Lawsuits (organized by Executive Branch Action)	Last Update
	<ul style="list-style-type: none"> <li>• <b>2/11/2025:</b> District Judge John Bates issued a <a href="#">memorandum opinion</a> and <a href="#">TRO</a> requiring defendants to restore webpages and datasets identified in this memorandum of law to their versions as of January 30, 2025 with a deadline of February 11 and restoration of other resources on providing medical care that were removed or substantially modified to their versions as of January 30, 2025 with a February 14 deadline.</li> <li>• <b>2/13/2025:</b> <a href="#">Joint status report</a> submitted describing efforts to comply with the TRO and noting that on or before February 18,</li> <li>• <b>2/18/2025:</b> Plaintiffs filed an <a href="#">amended complaint</a> that included additional plaintiff, the City and County of San Francisco</li> <li>• <b>2/21/2025:</b> <a href="#">Joint status report</a> submitted describing defendants compliance with the TRO, the expiration of the TRO on 2/25/2025, and plaintiffs' position on future proceedings requesting that the Court extend the TRO until resolution of a preliminary injunction and to proceed on an expedited basis.</li> <li>• <b>2/24/2025:</b> Judge Bates concluded that the irreparable harm justified in the TRO is no longer present and <a href="#">ordered</a> that plaintiffs file any joint motion for preliminary injunction and summary judgment by 3/7/2025.</li> <li>• <b>3/7/2025:</b> <a href="#">Joint motion filed to modify the briefing schedule</a>. Judge Bates granted the motion and ordered plaintiffs to file any joint motion for preliminary injunction and summary judgment by 3/11/2025 and defendants to file any response by 3/24/2025.</li> <li>• <b>3/11/2025:</b> Plaintiffs filed <a href="#">motion for preliminary injunction and expedited summary judgment</a> in order to require restoration of the webpages and datasets removed in response to the OPM guidance as well as restoration of public access, and block further implementation of the policy.</li> <li>• <b>3/24/2025:</b> Defendants filed <a href="#">cross-motion for summary judgment</a> and <a href="#">memorandum in support of cross-motion and opposition to motion</a> for preliminary injunction/expedited summary judgment.</li> <li>• <b>4/3/2025:</b> Plaintiffs filed <a href="#">reply</a> memorandum in further support of motion for preliminary injunction and expedited summary judgment and memorandum in opposition to defendants' cross-motion for summary judgment.</li> <li>• <b>4/16/2025:</b> Defendants filed <a href="#">reply memorandum</a> in support of cross-motion for summary judgment.</li> </ul>	
4/2/2025	<p><i>American Public Health Association, et al. v. National Institutes of Health, et al.</i></p> <p>Plaintiffs in this <a href="#">complaint</a> are seeking declaratory and injunctive relief alleging that the NIH violated the APA, the Fifth Amendment due process protections, and separation of powers and requesting the restoration of grant awards that were unlawfully terminated and prevention of continued implementation of the directives to terminate grants related to topics such as DEI, vaccine hesitancy, and climate change</p>	<p><b>5/2/2025:</b> <a href="#">Amicus curiae brief</a> filed by biological and biomedical research societies in support of Plaintiffs' motion for preliminary injunction (partners in the NIH Maximizing</p>

AGS Court Watch		
Original Filing Date	Lawsuits (organized by Executive Branch Action)	Last Update
	<p>(see contemporaneous <a href="#">reporting</a> from <i>NBC News</i> and the American Civil Liberties Union (ACLU) <a href="#">release</a>).</p> <p><b>Filed in:</b> United States District Court for the District Court of Massachusetts</p> <p><b>Prior Actions</b></p> <ul style="list-style-type: none"> <li>• <b>4/25/2025:</b> Plaintiffs filed <a href="#">motion for preliminary injunction</a> enjoining Defendants from implementing directives on terminating grants and suspending normal review grant processes.</li> </ul>	Opportunities for Scientific and Academic Independent Careers (MOSAIC) grant program).
4/4/2025	<p><i>Commonwealth of Massachusetts, et al. v. Robert F. Kennedy, Jr., in his official capacity as Secretary of Health and Human Services, et al.</i></p> <p>Plaintiffs (16 state attorneys general) filed a <a href="#">complaint</a> seeking declaratory and injunctive relief to challenge the termination of research grants and the grant approval process at NIH alleging that the “Administration has engaged in a concerted, and multi-pronged effort to disrupt NIH’s grants” and are seeking restoration of already-issued grants and prompt review of delayed grant applications and renewals (see contemporaneous <a href="#">reporting</a> from <i>The Hill</i>).</p> <p><b>Filed in:</b> United States District Court for the District of Massachusetts</p> <p><b>Prior Actions</b></p> <ul style="list-style-type: none"> <li>• <b>4/4/2025:</b> Complaint filed and plaintiffs filed <a href="#">motion for TRO</a>.</li> <li>• <b>4/8/2025:</b> Plaintiffs filed <a href="#">assented-to motion</a> to set a briefing scheduling on motion for preliminary injunction and notice of withdrawal of motion for a TRO.</li> <li>• <b>4/14/2025:</b> Plaintiffs filed <a href="#">motion for preliminary injunction</a> and <a href="#">memorandum</a> in support of motion.</li> <li>• <b>4/17/2025:</b> The Association of American Medical Colleges (AAMC) filed an <a href="#">amicus brief</a> highlighting that the research enterprise is being undermined by the termination of grants as well as the delay and cancellation of new grants (see <a href="#">statement</a> from AAMC President and CEO). The hearing for the preliminary injunction motion is scheduled for May 9<sup>th</sup>.</li> <li>• <b>5/1/2025:</b> Defendants filed <a href="#">opposition to motion for preliminary injunction</a> and submitted <a href="#">examples</a> of active, not terminated grants.</li> </ul>	<b>5/2/2025:</b> Hearing on motion for preliminary injunction reset for 5/8/2025 before Judge William Young following Judge Brian Murphy’s recusal.
<p><b>Executive Branch Action:</b> Related to the Gender EO, the <a href="#">Protecting Children from Chemical and Surgical Mutilation</a> EO (Denial of Care EO) directs federal agencies to withhold funds from medical providers and institutions that offer gender-affirming medical treatments to anyone under 19.</p>		

AGS Court Watch		
Original Filing Date	Lawsuits (organized by Executive Branch Action)	Last Update
2/4/2025	<p><i>PFLAG</i> (previously known as the Parents, Families, and Friends of Lesbians and Gays), <i>et al. v. Donald J. Trump, in his official capacity as President of the United States, et al.</i></p> <p>Plaintiffs (including GLMA: Health Professionals Advancing LGBTQ+ Equality (previously known as the Gay &amp; Lesbian Medical Association), transgender young adults, and families with transgender youth) in this <a href="#">complaint</a> challenge the Gender EO and Denial of Care EO, seeking to have the orders declared as unconstitutional and unlawful and issuance of temporary, preliminary, and permanent injunctive relief enjoining defendants (including HHS, Acting Secretary of HHS Dorothy Fink, the Health Resources and Services Administration (HRSA), HRSA's Principal Deputy Administrator Diana Espinosa, NIH, and Acting NIH Director Matthew Memoli). See contemporaneous <a href="#">coverage</a> from Roll Call.</p> <p><b>Filed in:</b> United States District Court for the District of Maryland</p> <p><b>Prior Actions</b></p> <ul style="list-style-type: none"> <li>• <b>2/5/2025:</b> Plaintiffs submitted <a href="#">emergency motion for TRO</a>.</li> <li>• <b>2/13/2025:</b> District Judge Brendan Hurson issued a <a href="#">14-day TRO</a> blocking the withholding of federal funding based on a healthcare entity or health professional providing gender affirming medical care.</li> <li>• <b>2/14/2025:</b> Defendants submitted <a href="#">conditional motion</a> to clarify TRO.</li> <li>• <b>2/18/2025:</b> Judge Hurson <a href="#">granted</a> defendants' condition motion to clarify TRO. Plaintiffs filed <a href="#">motion</a> for preliminary injunction.</li> <li>• <b>2/21/2025:</b> Plaintiffs filed <a href="#">motion</a> to extend TRO and defendants file <a href="#">opposition</a> to plaintiffs' motion to extend TRO. <a href="#">Joint status report</a> submitted describing positions on plaintiffs' motion for preliminary injunction.</li> <li>• <b>2/26/2025:</b> Judge Hurson <a href="#">extended</a> the TRO until 3/5/2025 and plaintiffs submitted a <a href="#">reply in support</a> of their motion for a preliminary injunction.</li> <li>• <b>3/4/2025:</b> Judge Hurson granted a <a href="#">preliminary injunction</a> to block the conditioning, withholding, or termination of federal funding under the two EOs and ordered the defendants to notify employees, contractors, and grantees by March 10<sup>th</sup> about the preliminary injunction including instruction to agencies on the release of funds that were paused following the directives of the EOs (see <a href="#">Memorandum Opinion</a> and <a href="#">contemporaneous reporting</a> from <i>NBC News</i>).</li> <li>• <b>3/5/2025:</b> Subagencies of HHS, the <a href="#">Centers for Medicare and Medicaid Services</a> (CMS), <a href="#">HRSA</a>, and the Substance Abuse and Mental Health Services Administration (SAMHSA) issued notices that alerted their federal funding recipients/covered entities that the agencies "may begin taking steps to appropriately update its policies to protect children from chemical and surgical mutilation." HRSA</li> </ul>	<p><b>4/8/2025:</b> <a href="#">Joint motion for limited partial stay</a> of case deadlines filed pending resolution of appeal to the Fourth Circuit. Judge Hurson <a href="#">granted limited partial stay</a>.</p>

AGS Court Watch		
Original Filing Date	Lawsuits (organized by Executive Branch Action)	Last Update
	<p>and SAMHSA added that they “may also consider re-scoping, delaying, or potentially cancelling new grants in the future depending on the nature of the work and any future policy change(s).”</p> <ul style="list-style-type: none"> <li>• <b>3/7/2025:</b> Plaintiffs filed <a href="#">emergency motion</a> to enforce preliminary injunction following the notices that the defendants violated the order.</li> <li>• <b>3/10/2025:</b> Defendants filed <a href="#">opposition</a> to emergency motion as the notices inform interested parties about HHS’ concerns about the use of interventions for gender-affirming medical care and plaintiffs filed <a href="#">reply memorandum in support</a> of emergency motion to enforce preliminary injunction.</li> <li>• <b>3/21/2025:</b> Defendants filed <a href="#">notice of decision to appeal</a> to the U.S. Court of Appeals for the Fourth Circuit from the 3/4/2025 preliminary injunction.</li> <li>• <b>3/28/2025:</b> Judge Hurson <a href="#">denied</a> plaintiffs’ motion to enforce preliminary injunction without prejudice as the Court did not find that the notices in their current form condition, withhold, or terminate any specific federal funding.</li> </ul>	
<p><b>Executive Branch Action:</b> To date, several EOs have been issued around diversity, equity, inclusion, and accessibility (collectively, Anti-DEIA EOs). On 1/20/2025, the <a href="#">Ending Radical and Wasteful Government DEI Programs and Preferencing</a> EO (Anti-Diversity 1 EO) rescinded DEI mandates that require federal contractors to promote affirmative action and diversity programs. On 1/21/2025, the <a href="#">Ending Illegal Discrimination and Restoring Merit-Based Opportunity</a> EO (Anti-Diversity 2 EO) revokes any previous orders that required federal contractors to take affirmative action to ensure equal employment opportunity based on race and gender.</p>		
2/3/2025	<p><i>National Association of Diversity Officers in Higher Education; American Association of University Professors; Restaurant Opportunities Centers United; Mayor and City Council of Baltimore, Maryland v. Donald J. Trump in his official capacity as President of the United States, et al.</i></p> <p>Plaintiffs in this <a href="#">complaint</a> are seeking declaratory and injunctive relief alleging that the Anti-DEIA EOs are unconstitutional and an overreach of presidential authority with a “chilling effect” on free speech.  <b>Filed in:</b> United States District Court for the District of Maryland Baltimore Division</p> <p><b>Prior Actions</b></p> <ul style="list-style-type: none"> <li>• <b>2/13/2025:</b> Plaintiffs filed a <a href="#">motion</a> for a TRO and/or preliminary injunction.</li> <li>• <b>2/18/2025:</b> Defendants filed a <a href="#">memorandum</a> in opposition to the plaintiffs’ 2/13/2025 motion.</li> <li>• <b>2/19/2025:</b> Plaintiffs filed a <a href="#">supplemental brief</a> to support the motion for a TRO and/or preliminary injunction.</li> <li>• <b>2/21/2025:</b> District Judge Adam Abelson issued a <a href="#">preliminary injunction</a> to temporarily block the Anti-DEIA EOs provisions around termination of federal grants that are related to equity, certification of contractors and grantees for not operating programs that promote DEIA, and</li> </ul>	<p><b>5/1/2025:</b> Judge Abelson <a href="#">denied</a> Plaintiffs’ motion to vacate the preliminary injunction noting the appropriate course is to deny the motion and allow the parties to brief the issues before the Fourth Circuit Court of Appeals which will soon make its decision.</p>

AGS Court Watch		
Original Filing Date	Lawsuits (organized by Executive Branch Action)	Last Update
	<p>enforcement of deterring DEI programs. See contemporaneous <a href="#">reporting</a> from NPR and this <a href="#">statement</a> from Democracy Forward.</p> <ul style="list-style-type: none"> <li>• <b>2/24/2025:</b> Defendants submitted <a href="#">notice of appeal</a> to the U.S. Court of Appeals for the Fourth Circuit.</li> <li>• <b>2/25/2025:</b> Defendants submitted <a href="#">motion to stay injunction</a> pending resolution of the appeal and requested expedited briefing and ruling.</li> <li>• <b>2/26/2025:</b> The Court <a href="#">granted in part and denied in part</a> the request to expedite the briefing noting that the motion to stay will be ruled on 3/3/2025.</li> <li>• <b>2/27/2025:</b> Plaintiffs submitted <a href="#">motion to clarify</a> the scope of the 2/21/2025 preliminary injunction order on whether the “enjoined parties” include federal executive agencies, departments, and commissions that are not named as defendants as well as a <a href="#">memorandum of law</a> in opposition to the defendants motion to stay.</li> <li>• <b>2/28/2025:</b> Judge Abelson <a href="#">ordered</a> the defendants to file their opposition to the motion to clarify by 3/3/2025 and the plaintiffs to file their reply brief for the motion to clarify by 3/4/2025.</li> <li>• <b>3/3/2025:</b> Judge Abelson <a href="#">denied</a> defendants’ motion to stay injunction pending appeal explaining that the provisions being challenged violate the First Amendment protections for free speech. Defendants filed <a href="#">response to motion</a> for clarification.</li> <li>• <b>3/4/2025:</b> Plaintiffs filed <a href="#">response in further support</a> of motion to clarify preliminary injunction .</li> <li>• <b>3/10/2025:</b> Judge Abelson <a href="#">granted</a> the preliminary injunction in part and denied in part and granted the clarification motion and set forth that the preliminary injunction applies to and binds defendants other than the President, as well as other federal executive branch agencies, departments, and commissions, and their heads, officers, agents, and subdivisions.</li> <li>• <b>3/13/2025:</b> Plaintiffs filed <a href="#">emergency motion for status conference</a> on the preliminary injunction to evaluate the Department of Justice’s efforts to comply with the order due to reports of continued widespread violation by the defendants.</li> <li>• <b>3/14/2025:</b> Judge Abelson <a href="#">granted</a> emergency motion for status conference regarding preliminary injunction compliance and the Fourth Circuit <a href="#">granted</a> the defendants’ motion for a stay of the preliminary injunction.</li> <li>• <b>3/17/2025:</b> Plaintiffs filed <a href="#">motion to vacate scheduling order</a> from District Court given Fourth Circuit’s order to stay the preliminary injunction and Judge Abelson <a href="#">granted</a> motion to vacate.</li> <li>• <b>3/21/2025:</b> Plaintiffs filed <a href="#">motion to vacate 2/21/2025 preliminary injunction</a> order and requested expedited resolution to relieve parties and courts of duplicative and unnecessary briefing as having all relief stayed pending appeal will contribute to ongoing and escalating irreparable harm.</li> <li>• <b>4/1/2025:</b> Defendants filed <a href="#">reply</a> in opposition to motion to vacate preliminary injunction order.</li> </ul>	



AGS Court Watch		
Original Filing Date	Lawsuits (organized by Executive Branch Action)	Last Update
	<ul style="list-style-type: none"> <li>• <b>4/2/2025:</b> Plaintiffs filed <a href="#">reply</a> in further support of motion to vacate preliminary injunction order.</li> </ul>	
2/19/2025	<p><i>National Urban League; National Fair Housing Alliance; AIDS Foundation of Chicago v. Donald J. Trump, in his official capacity as President of the United States, et al.</i></p> <p>Plaintiffs in this <a href="#">complaint</a> challenge three EOs, the Anti-Diversity 1 EO, the Anti-Diversity 2 EO, and the Gender EO described above, and ask the Court to uphold their constitutional rights so they may continue their work providing services to the marginalized and underserved communities targeted by these EOs. See contemporaneous <a href="#">reporting</a> from MSN and this <a href="#">article</a> from <i>Nonprofit Quarterly</i>.</p> <p><b>Filed in:</b> United States District Court for the District of Columbia</p> <p><b>Prior Actions</b></p> <ul style="list-style-type: none"> <li>• <b>2/20/2025:</b> Plaintiffs submitted <a href="#">response</a> to order to show cause contending that the case should be designated as related to the <i>National Council of Nonprofits</i> lawsuit.</li> <li>• <b>2/21/2025:</b> Judge AliKhan concluded that the case is not related to <i>National Council of Nonprofits</i> and <a href="#">ordered</a> that the case be transferred to the Calendar and Case Management Committee for random assignment. Case was randomly reassigned to Judge Timothy Kelly.</li> <li>• <b>2/28/2025:</b> Plaintiffs submitted <a href="#">motion</a> for preliminary injunction to prohibit the Defendants from enforcing and implementing provisions of Anti-DEIA EOs and Gender EO and <a href="#">memorandum of law</a> in support of motion.</li> <li>• <b>3/3/2025:</b> Judge Kelly ordered that the parties appear for a hearing on the motion for preliminary injunction on 3/19/2025.</li> <li>• <b>3/5/2025:</b> Do No Harm filed <a href="#">motion to intervene</a> as defendant.</li> <li>• <b>3/10/2025:</b> Defendants filed <a href="#">response to motion to intervene</a> in opposition on the ground that intervention is unnecessary.</li> <li>• <b>3/12/2025:</b> Defendants filed opposition to motion for preliminary injunction. Judge Kelley <a href="#">denied</a> Do No Harm's motion to intervene.</li> <li>• <b>3/15/2025:</b> Defendants filed <a href="#">notice of supplemental authority</a> related to the pending motion for preliminary injunction given the Fourth Circuit's order to stay the preliminary injunction in <i>National Association of Diversity Officers in Higher Education v. Trump</i> and plaintiffs filed <a href="#">reply to opposition to motion</a> for preliminary injunction.</li> <li>• <b>3/24/2025:</b> Following the preliminary injunction hearing on 3/19/2025, Judge Kelly ordered that plaintiffs and defendants file responses around additional information about challenged EO</li> </ul>	<p><b>5/2/2025:</b> Judge Kelly denied plaintiffs' motion for preliminary injunction as Plaintiffs' claims are likely to fail—faltering on standing and underlying First and Fifth Amendment claims—and noted the similar conclusion reached by Fourth Circuit in <i>National Association of Diversity Officers in Higher Education v. Trump</i>.</p>



AGS Court Watch		
Original Filing Date	Lawsuits (organized by Executive Branch Action)	Last Update
	<p>application to the D.C. Department of Transportation (DDOT) and whether information requires the Court to recuse itself from the case given spouse's position as Director of DDOT.</p> <ul style="list-style-type: none"> <li>• <b>3/26/2025:</b> Defendants filed <a href="#">response</a> to 3/24/2025 order outlining position on recusal that is it not warranted at this time and plaintiffs filed <a href="#">response</a> outlining that they are not able to take a position due to limited information.</li> <li>• <b>4/7/2025:</b> Defendants filed <a href="#">notice of supplementary authority</a>, the Supreme Court's decision to stay the TRO in <i>Department of Education v. California</i>, which supports the defendants' argument that plaintiffs' claims are not ripe for review and there are questions about whether the District Court has jurisdiction to review post-termination claims.</li> <li>• <b>4/15/2025:</b> Defendants filed <a href="#">notice of supplemental authority</a>, the TRO in the Termination Provision and the Certification Provision in <i>Chicago Women in Trades v. Trump</i> that concluded plaintiff was not likely to succeed in its First and Fifth Amendment challenges to the Termination Provision.</li> </ul>	
<p><b>Executive Branch Action:</b> Following a 2/13/2025 phone call with OPM and follow-up OPM <a href="#">memorandum</a> (Probationary Employees directive), federal agencies terminated probationary employees using a termination letter template provided by OPM that claimed the decision was due to performance. On 2/22/2025, OPM sent an email, "What did you do last week?" requesting all employees to reply with at least five accomplishments. This was supplemented by an X.com post from Elon Musk that "failure to respond will be taken as a resignation." See <i>Business Insider's</i> <a href="#">coverage</a> via MSN and Federal News Network <a href="#">reporting</a>.</p>		
2/19/2025	<p><i>American Federation of Government Employees; American Federation of State, County and Municipal Employees; United Nurses Associations of California/Union of Health Care Professionals v. United States Office of Personnel Management and Charles Ezell, in his official capacity as Acting Director of the U.S. Office of Personnel Management.</i></p> <p>Plaintiffs in this <a href="#">complaint</a> are seeking to enjoin the termination of tens of thousands of federal probationary employees that resulted from the order of OPM alleging that termination notices falsely stated that the terminations are for performance reason and that defendants are in violation of the APA and separation of powers principles by overriding statutes that authorize and regulate agency hiring and firing.</p> <p><b>Filed in:</b> United States District Court for the Northern District of California San Francisco Division</p> <p><b>Prior Actions</b></p> <ul style="list-style-type: none"> <li>• <b>2/23/2025:</b> <a href="#">Amended complaint</a> filed by plaintiffs to include OPM's "What did you do last week?" email alleging that OPM violated the APA. Plaintiffs submitted <a href="#">motion for TRO</a> and order to show cause why preliminary injunction should not be issued.</li> </ul>	<p><b>5/3/2025:</b> Plaintiff for <i>Hang Zhang v. Daniel Driscoll, Secretary, Department of the Army</i> filed <a href="#">notice of motion for preliminary injunction</a> and motion to relate action to <i>AFL-CIO v. OPM</i> following <a href="#">motion to relate case</a> with <i>AFL-CIO v. OPM</i> on the grounds of Fifth Amendment Due Process and Separation of Powers challenge filed on 5/2/2025.</p>

AGS Court Watch		
Original Filing Date	Lawsuits (organized by Executive Branch Action)	Last Update
	<ul style="list-style-type: none"> <li>• <b>2/26/2025:</b> Defendants filed <a href="#">opposition</a> to plaintiffs’ motion for a TRO and to show cause and plaintiffs filed <a href="#">reply</a> in support of motion for TRO and order to show cause.</li> <li>• <b>2/27/2025:</b> During the TRO motion hearing, Senior District Judge William Alsup ruled that OPM did not have any authority to direct other agencies to terminate employees and ordered the withdrawal of memoranda issued by OPM on the terminations of probationary employees. Judge Alsup noted that his order applies to employees at the National Park Service, National Science Foundation, Small Business Administration, Bureau of Land Management, and Department of Veterans Affairs, and Department of Defense because of jurisdictional issues.</li> <li>• <b>2/28/2025:</b> Court filed Judge Alsup’s <a href="#">memorandum opinion and order amending TRO</a> that includes the NSF and excludes FWS. The order applies to the National Park Service, the Small Business Administration, the Bureau of Land Management, the Department of Veterans Affairs, the Department of Defense, and the U.S. Fish and Wildlife Service. The evidentiary hearing is scheduled for 3/13/2025.</li> <li>• <b>3/3/2025:</b> Defendants issued <a href="#">revised guidance</a> that “OPM is not directing agencies to take any specific performance-based actions regarding probationary employees.”</li> <li>• <b>3/4/2025:</b> Plaintiffs filed <a href="#">motion for leave to amend complaint</a> for addition of defendants and join new plaintiffs to preliminary injunction motion.</li> <li>• <b>3/5/2025:</b> Plaintiffs filed <a href="#">urgent request for status conference</a> to discuss defendants’ intention to not comply with order for Acting OPM Director Ezell to appear at the 3/13/2025 preliminary injunction hearing.</li> <li>• <b>3/7/2025:</b> Defendants filed opposition to motion to file second amended complaint noting further amendment would be futile and plaintiffs are seeking to join improper parties. Plaintiffs submitted <a href="#">reply to support motion</a> for amendment.</li> <li>• <b>3/10/2025:</b> Judge Alsup <a href="#">granted</a> motion for leave to amend the complaint. Defendants filed <a href="#">ex parte application</a> to vacate 3/13/2025 evidentiary hearing, quash subpoenas, and for a protective order. Plaintiffs filed <a href="#">opposition to ex parte motion</a>. Judge Alsup <a href="#">denied</a> defendants’ request to vacate the 3/13/2025 hearing as well as the request to vacate the order that Ezell appear or be deposed noting that if Ezell violates the order, the Court will decide the sanction, including whether to strike or limit sworn declaration.</li> <li>• <b>3/13/2025:</b> Judge Alsup <a href="#">granted</a> the preliminary injunction and extended the TRO and effective immediately, ordered the Departments of Agriculture, Defense, Energy, Interior, Treasury, and Veterans Affairs to rehire the probationary employees that were terminated (see contemporaneous <a href="#">reporting</a> from <i>Politico</i>). The Administration filed a <a href="#">notice of decision to appeal</a> the preliminary injunction in the U.S. Court of Appeals for the Ninth Circuit.</li> </ul>	

AGS Court Watch		
Original Filing Date	Lawsuits (organized by Executive Branch Action)	Last Update
	<ul style="list-style-type: none"> <li>• <b>3/14/2025:</b> Defendants filed <a href="#">ex parte application</a> to stay the 3/13/2025 preliminary injunction pending appeal and plaintiffs filed <a href="#">opposition to ex parte motion</a> to stay the preliminary injunction and motion to strike declarations.</li> <li>• <b>3/15/2025:</b> Judge Alsup <a href="#">denied</a> the ex parte motion to stay preliminary injunction pending appeal.</li> <li>• <b>3/17/2025:</b> The Ninth Circuit <a href="#">denied</a> the defendants' request for an immediate administrative stay.</li> <li>• <b>3/24/2025:</b> Judge Alsup <a href="#">determined</a> that the Court has subject-matter jurisdiction to hear and decide the public-sector union plaintiffs' claims as well as organizational plaintiffs' claims and <a href="#">ordered</a> the parties to show cause why the relief extended to the organizational plaintiffs should not be extended to the public-sector union plaintiffs. Hearing is set for 4/9/2025.</li> <li>• <b>3/26/2025:</b> Plaintiffs filed <a href="#">motion to compel compliance with preliminary injunction or hold defendants in contempt</a>, plaintiff state of Washington filed <a href="#">motion for preliminary injunction</a>, and the Ninth Circuit <a href="#">denied</a> the defendants' request to stay the preliminary injunction.</li> <li>• <b>3/28/2025:</b> Judge Alsup <a href="#">granted in part and denied in part</a> motion for a protective order – granting request for relief to produce Ezell for deposition for 4/3/2025 and denying request for a protective order relieving from any obligation to produce Ezell for any further deposition in this case.</li> <li>• <b>3/31/2025:</b> Defendants filed <a href="#">reply in opposition</a> to motion for preliminary injunction and <a href="#">reply in opposition to motion</a> to compel compliance with preliminary injunction or hold defendants in contempt.</li> <li>• <b>4/1/2025:</b> Plaintiffs filed <a href="#">brief</a> on ex parte application order and defendants filed <a href="#">reply</a> to 3/28/2025 order requesting the Court reverse its prior ruling allowing discovery and instead direct negotiation of a schedule for further briefing.</li> <li>• <b>4/2/2025:</b> Plaintiffs filed <a href="#">supplemental authority</a>, the memorandum and order in <i>State of Maryland v. Department of Agriculture</i>, around the unknown number of previously-terminated probationary employees that were covered by the <i>Maryland</i> TRO who are no longer covered by the <i>Maryland</i> preliminary injunction.</li> <li>• <b>4/3/2025:</b> Plaintiffs filed <a href="#">reply in support</a> of motion to compel compliance with preliminary injunction.</li> <li>• <b>4/4/2025:</b> Defendants filed <a href="#">reply in support</a> of brief for additional relief available to union plaintiffs and public-sector union plaintiffs' filed <a href="#">reply memorandum</a> in support of further injunctive relief.</li> <li>• <b>4/5/2025:</b> Defendants filed <a href="#">reply in support</a> of response to 3/28/2025 order requesting directing negotiation of briefing schedule.</li> <li>• <b>4/7/2025:</b> Defendants filed <a href="#">notice</a> of additional steps taken to comply with 3/13/2025 preliminary injunction.</li> <li>• <b>4/8/2025:</b> U.S. Supreme Court paused 3/13/2025 preliminary injunction order (see contemporaneous reporting from <a href="#">SCOTUSblog</a> and <a href="#">Politico</a>).</li> </ul>	

AGS Court Watch		
Original Filing Date	Lawsuits (organized by Executive Branch Action)	Last Update
	<ul style="list-style-type: none"> <li>• <b>4/18/2025:</b> Judge Alsup <a href="#">granted provisional relief</a> blocking OPM and Ezell from ordering, directing, or telling any other federal agency to terminate the employment of any federal employee or group of federal employees and ordered that all defendant agencies who used the OPM template termination notice to provide written statement to the employee individually stating termination was not performance or for fitness-based but made as part of a government-wide mas termination.</li> <li>• <b>4/23/2025:</b> Defendants filed <a href="#">notice of appeal</a> to the US Court of Appeals for the Ninth Circuit from the preliminary injunction order.</li> </ul>	
<b>Executive Branch Actions:</b> On 3/24/2025, HHS rescinded \$11 billion in public health funding with no advance notice or warning stating the basis for termination was that the funding was terminated “for cause” and effective immediately.		
4/1/2025	<p><i>State of Colorado, et al. v. U.S. Department of Health and Human Services; Robert F. Kennedy, Jr., in his official capacity as Secretary of Health and Human Services</i></p> <p>Plaintiffs (attorneys general and governors in 23 states and the District of Columbia) filed a <a href="#">complaint</a> seeking declaratory and injunctive relief and requesting for emergency TRO alleging HHS exceeded its statutory and regulatory authority in pulling back funding that was already allocated and violated the APA in its termination notices (see contemporaneous <a href="#">reporting</a> from <i>The Hill</i>). ]</p> <p><b>Filed in:</b> United States District Court for the District of Rhode Island</p> <p><b>Prior Actions</b></p> <ul style="list-style-type: none"> <li>• <b>4/3/2025:</b> District Judge Mary S. McElroy granted a TRO and noted the “strong likelihood of success on the merits, irreparable harm, and that the balance of inequities and public interest favor the States.”</li> <li>• <b>4/7/2025:</b> Defendants filed <a href="#">notice of compliance</a> with TRO and <a href="#">emergency motion for reconsideration</a> and request to vacate the TRO, or in the alternative, for a stay pending appeal.</li> <li>• <b>4/8/2025:</b> Plaintiffs filed <a href="#">amended complaint</a> and <a href="#">motion for preliminary injunction</a>.</li> <li>• <b>4/10/2025:</b> Plaintiffs filed <a href="#">opposition to motion to reconsider</a> or stay pending appeal.</li> <li>• <b>4/17/2025:</b> Judge McElroy pressed the Administration about the details related to the decision-makers on rescinding funding already allocated and authorized by Congress in appropriations laws, such as the <a href="#">American Rescue Plan Act of 2021</a>. Judge McElroy extended the 4/3/2025 TRO until the Court’s order on the motion for preliminary injunction following further briefing (see <a href="#">recording</a> of the hearing on YouTube – questioning of the Defendants’ counsel begins 2:21:02).</li> <li>• <b>4/24/2025:</b> Defendants filed <a href="#">supplemental briefing in support of opposition</a> to plaintiffs’ motion for preliminary injunction.</li> </ul>	<p><b>4/29/2025:</b> Plaintiff states’ filed <a href="#">supplemental briefing in support</a> of motion for preliminary injunction.</p>

AGS Court Watch		
Original Filing Date	Lawsuits (organized by Executive Branch Action)	Last Update

Related Lawsuits and Other Court Actions that AGS is not Tracking		
	<p><b>Executive Branch Actions:</b> On 3/31/2025, the Departments of Education (ED), HHS, and US General Services Administration (GSA) <a href="#">announced</a> a comprehensive review of \$9 billion in federal contracts with Harvard University to ensure compliance with civil rights laws. On <a href="#">April 3rd</a> and <a href="#">April 11th</a>, ED, HHS, and GSA sent letters identifying the changes that must be implemented in order for Harvard to maintain funding and be in good standing (e.g., adoption of merit-based hiring and admissions policies and discontinuation of diversity, equity, and inclusion initiatives). In response, Harvard sent a <a href="#">letter</a> on 4/14/2025 noting that it “will not surrender its independence or relinquish its constitutional rights” while refusing to comply with the conditions outlined in the letters. That same day, the Joint Task Force to Combat Anti-Semitism <a href="#">announced</a> the funding freeze (see contemporaneous <a href="#">reporting</a> from CNN).</p> <p><i>President and Fellows of Harvard College v. US Department of Health and Human Services, et al.</i></p> <p>Plaintiffs in this <a href="#">complaint</a> filed on 4/21/2025 are seeking declaratory and injunctive relief to challenge the Administration’s actions against Harvard alleging violation of the institution’s constitutional rights under the First Amendment and its rights guaranteed by statute and regulation.</p> <p><b>Filed in:</b> United States District Court for the District of Massachusetts</p>	<p>You can see status updates for these lawsuits at: <a href="#">Just Security’s Litigation Tracker</a></p>
	<p><b>Executive Branch Actions:</b> On 3/11/2025, the Department of Education (DOE) announced in a <a href="#">press release</a> its reduction in force (RIF) plan that would place nearly 50% of the 4,133 staff on administrative leave (see contemporaneous <a href="#">reporting</a> from CNN). On 3/20/2024, <a href="#">Improving Education Outcomes by Empowering Parents, States, and Communities</a> (Education EO) ordered closing the DOE and returning authority to states. On 3/21/2025, the President <a href="#">announced</a> that the federal student loan portfolio and the DOE’s special education programs will be transferred to the Small Business Administration.</p> <p><i>State of New York, et al. v. Linda McMahon, in her official capacity as Secretary of Education; U.S. Department of Education; and Donald J. Trump, in his official capacity as President of the United States</i></p> <p>Plaintiffs, attorneys general in 20 states and D.C., in this <a href="#">complaint</a> filed on 3/13/2025 are seeking declaratory and injunctive relief against the directive to eliminate the DOE and implementation of elimination, including the RIF plan, alleging the Administration is in violation of the APA (see contemporaneous <a href="#">reporting</a> from <i>Newsweek</i>).</p>	

AGS Court Watch		
Original Filing Date	Lawsuits (organized by Executive Branch Action)	Last Update
	<p><b>Filed in:</b> United States District Court for the District of Massachusetts</p> <ul style="list-style-type: none"> <li>• <b>3/24/2025:</b> Plaintiffs filed <a href="#">motion for preliminary injunction</a> to block implementation of the RIF and 3/21/2025 announcement on the transfer of the student loan portfolio and the DOE's special education programs.</li> </ul> <p><i>National Association for the Advancement of Colored People, et al. v. The United States of America; United States Department of Education; and Linda McMahon, in her official capacity as Secretary of Education</i></p> <p>Plaintiffs in this <a href="#">complaint</a> filed on 3/24/2025 are requesting that the Court declare unlawful and set aside the Education EO, issue a preliminary and permanent injunction to block the dismantling of the DOE and implementation of the EO, and declare unlawful defendants' actions to dismantle the DOE alleging violation of the appropriations and spending clauses, separation of powers, and the APA (see contemporaneous <a href="#">reporting</a> from <i>The Hill</i>).</p> <p><b>Filed in:</b> United States District Court for the District of Maryland</p> <p><i>Somerville Public Schools, et al. v. Donald J. Trump, in his official capacity as President of the United States; Linda McMahon, in her official capacity as Secretary of Education; and U.S. Department of Education</i></p> <p>Plaintiffs in this <a href="#">complaint</a> filed on 3/24/2025 are requesting that the Court issue a declaratory judgment on the Education EO and the RIF plan and declare unlawful and set aside the RIF and EO alleging violation of the separation of powers, the Take Care Clause, and the APA (see <a href="#">release</a> from Democracy Forward).</p> <p><b>Filed in:</b> United States District Court for the District of Massachusetts</p>	
	<p><b><u>Executive Branch Action:</u></b> Gender EO.</p> <p><i>Schiff and Royce v. U.S. Office of Personnel Management; Charles Ezell; Department of Health and Human Services; Robert F. Kennedy Jr.; Agency for Healthcare Research and Quality; and Mamatha S. Pancholi</i></p>	

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	<p>Plaintiffs filed a <a href="#">complaint</a> on 3/12/2025 seeking declaratory and injunctive relief alleging the Administration’s unlawful and dangerous suppression of doctors’ speech about how to better diagnose patients after removal of private doctors’ peer-reviewed articles from a patient safety website managed by the Agency for Healthcare Research and Quality to adhere to OPM’s directive to remove “gender ideology” content (see contemporaneous <a href="#">reporting</a> by <i>NBC News</i>).</p> <p><b>Filed in:</b> U.S. District Court for the District of Massachusetts</p>	
	<p><b><u>Executive Branch Action:</u></b> Probationary Employees directive.</p> <p><i>State of Maryland, et al. v. United States Department of Agriculture, et al.</i></p> <p>Plaintiffs in this <a href="#">complaint</a> filed on 3/6/2025 are seeking declaratory and injunctive relief to cease the reductions in force (RIFs) of probationary employees by 21 federal agencies alleging that defendants have conducted the RIFs unlawfully and without notice and requesting reinstatement of probationary employees terminated on or after 1/20/2025 as part of the governmentwide layoffs.</p> <p><b>Filed in:</b> U.S. District Court for the District of Maryland</p> <ul style="list-style-type: none"> <li>• <b>3/13/2025:</b> District Judge James Bredar issued a <a href="#">TRO</a> that expires on 3/27/2025 to enjoin the RIFs in 18 agencies ordering that the agencies reinstate all probationary employees terminated on or after 1/20/2025 by 1:00 pm EDT 3/17/2025 after <a href="#">determining</a> that there was no cause for termination and non-compliance with RIFs statutory requirements (see contemporaneous <a href="#">reporting</a> from <i>Politico</i>).</li> <li>• <b>3/14/2025:</b> Defendants filed <a href="#">notice of decision to appeal</a> to the U.S. Court of Appeals for the Fourth Circuit from the TRO.</li> </ul>	
	<p><b><u>Executive Branch Action:</u></b> The Department of Education Office for Civil Rights (OCR) sent a <a href="#">Dear Colleague Letter</a> on enforcing the 2023 Supreme Court decision, <i>Students for Fair Admissions v. Harvard</i> which held that race-based affirmative action programs is unconstitutional. The letter advised educational institutions to rescind race-based policies, actions, and resources and failure to comply may lead to loss of federal funding.</p> <ul style="list-style-type: none"> <li>• <b>2/25/2025:</b> The American Federation of Teachers, the American Sociological Association, and the American Federation of Teachers-Maryland filed a <a href="#">complaint</a> in the U.S. District Court for the District of Maryland Baltimore Division against the Department of Education challenging the letter alleging that the letter is unconstitutional and violates the First Amendment’s protections for</li> </ul>	



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	<p>freedom of speech and association, the Fifth Amendment’s Due Process guarantees, and the APA (see <a href="#">coverage</a> from <i>The Hill</i> and <a href="#">release</a> from Democracy Forward).</p>	
	<p><b>Executive Branch Action:</b> Department of State <a href="#">Notice of Suspension</a> of refugee resettlement programs in response to the Foreign Aid EO, <a href="#">Ending Radical and Wasteful Government DEI Programs and Preferencing</a> EO, and <a href="#">Initial Recissions of Harmful Executive Orders and Actions</a> EO.</p> <ul style="list-style-type: none"> <li>• <b>2/18/2025:</b> The United States Conference of Catholic Bishops, part of a partnership with the federal government for the U.S. Refugee Admissions Program, filed a <a href="#">complaint</a> in the United States District Court for the District of Columbia for declaratory and injunctive relief to block the suspension (see contemporaneous <a href="#">article</a> from MSNBC).</li> </ul>	
	<p><b>Executive Branch Action:</b> The <a href="#">Protecting Children from Chemical and Surgical Mutilation</a> EO (Denial of Care EO).</p> <ul style="list-style-type: none"> <li>• <b>2/7/2025:</b> Attorneys general of Washington state, Minnesota, and Oregon, joined by three physicians, filed a <a href="#">complaint</a> in the United States District Court for the Western District of Washington at Seattle against the Administration to block implementation of the Denial of Care EO.</li> </ul>	
	<p><b>Executive Branch Action:</b> On January 28, the Office of Personnel Management (OPM) issued a “Fork in the Road” directive offering federal employees a <a href="#">deferred resignation program</a> that would allow them to resign between January 28 and February 10 (originally February 6) and retain all pay and benefits until September 30, 2025.</p> <p><i>American Federation of Government Employees; American Federation of Government Employees; American Federation of State, County and Municipal Employees; and National Association of Government Employees v. Charles Ezell, in his official capacity as Acting Director of the Office of Personnel Management and Office of Personnel Management</i></p> <p>Plaintiffs filed a <a href="#">complaint</a> on 2/4/2025 to seek declaratory and injunctive relief alleging the directive violates the APA because it is “arbitrary and capricious” and not in accordance with the Antideficiency Act.</p> <p><b>Filed in:</b> United States District Court for the District of Massachusetts</p> <p><b>Prior Actions</b></p>	<p>The 2/12/2025 order to dissolve the TRO and denial for further injunctive relief could be appealed by plaintiffs.</p>

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	<ul style="list-style-type: none"> <li>• <b>2/5/2025:</b> Plaintiffs <a href="#">requested</a> a TRO.</li> <li>• <b>2/6/2025:</b> District Judge George O'Toole issued an order to pause the program and extend the deadline until February 10.</li> <li>• <b>2/10/2025:</b> Judge O'Toole ordered that the pause on the February 6 deadline be further extended until order of the court as outlined in defendants' <a href="#">Notice of Compliance</a> (see contemporaneous <a href="#">reporting</a> from NPR).</li> <li>• <b>2/12/2025:</b> Judge O'Toole <a href="#">dissolved</a> the TRO and denied further injunctive relief because plaintiffs (unions) lack Article III standing and the court does not have subject matter jurisdiction over the claims asserted (see <a href="#">reporting</a> from <i>Government Executive</i>).</li> </ul>	