

AGS COURT WATCH

(as of 8/22/2025)

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.

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Original Filing Date	Lawsuits (organized by Executive Branch Action)	Last Update
Executive Branch Action: The Implementing the President’s “Department of Government Efficiency” Cost Efficiency Initiative EO (DOGE 2 EO) directs agency heads to identify contracts and grants that should be eliminated or modified and to collaborate with their DOGE team leads (see contemporaneous reporting from <i>Government Executive</i>).		
4/28/2025	<p><i>American Federation of Government Employees, et al. v. Donald J. Trump, in his official capacity as President of the United States, et al.</i></p> <p>Plaintiffs, a coalition of labor organizations, non-profit groups, and local governments, in this complaint are seeking declaratory and injunctive relief to stop the reorganization and implementation of large-scale reductions in force (RIFs) in federal agencies alleging violation of the Constitution’s protections for Separation of Powers and the APA.</p> <p>Filed in: United States District Court for the Northern District of California San Francisco Division</p> <p>Prior Actions</p> <ul style="list-style-type: none"> • 5/1/2025: Plaintiffs filed motion for TRO and order to show cause requesting to enjoin implementation or enforcement of the DOGE 2 EO. Defendants filed opposition to TRO schedule and proposed briefing schedule. • 5/7/2025: Defendants filed opposition to motion for TRO and order to show cause. • 5/8/2025: Plaintiffs filed reply in support of motion for TRO. • 5/9/2025: District Judge Susan Illston granted nationwide TRO to pause the existing RIFs and prohibiting plans for and issuing future RIFs for 21 agencies (including HHS, VA, and DOGE) noting “the President likely must request Congressional cooperation to order the change he seeks.” Defendants filed notice of appeal to the US Court of Appeal for the Ninth Circuit from the TRO. • 5/14/2025: Plaintiffs filed motion for preliminary injunction. • 5/16/2025: Department of Justice (DOJ) requested an emergency appeal with the US Supreme Court to lift the TRO (see contemporaneous reporting from Politico and SCOTUSblog). • 5/22/2025: Judge Illston granted a preliminary injunction 	<p>8/18/2025: Plaintiffs filed opposition to motion to dismiss amended complaint and hearing on motion to dismiss was continued to 9/19/2025.</p>

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	<ul style="list-style-type: none"> • 5/23/2025: Defendants filed notice of appeal to the Ninth Circuit from the preliminary injunction order and sent a letter to the Supreme Court to withdraw its emergency appeal request to lift the TRO. • 5/30/2025: Ninth Circuit denied emergency motion for a stay from the preliminary injunction in a 2-1 decision determining that the EO “far exceeds the President’s supervisory powers under the Constitution. • 6/2/2025: DOJ filed a second request with the Supreme Court to stay the preliminary injunction (see contemporaneous reporting from CBS News and SCOTUSblog). • 6/13/2025: Judge Illston ordered scope of injunctive relief for the Department of Housing and Urban Development (HUD) to raise questions with the Court before taking action and provide for in camera review a copy of any Phase 1 or Phase 2 Agency RIF and Reorganization Plans submitted to OMB and/or OPM and any version s that OMB and/or OPM have approved. • 6/17/2025: Judge Illston ordered HUD to provide Phase 2 Agency RIF and Reorganization Plans submitted to OMB and/or OPM that were due on 6/17/2025. • 6/23/2025: Defendants filed reply to Plaintiffs’ response to HUD submissions that requests prompt submission of all versions of Phase 2 ARRP to assert that Plaintiffs were not invited to weigh in. • 6/26/2025: Plaintiffs and Defendants stipulated to extend the time Defendants file reply to complaint to 7/21/2025. • 7/8/2025: The Supreme Court temporarily paused Judge Illston’s preliminary injunction order by a vote of 8-1 pending appeal in the Ninth Circuit (see contemporaneous coverage from Government Executive, ABCNews, and SCOTUSblog). • 7/11/2025: Judge Illston granted Plaintiffs’ motion to shorten time filed the same day for Defendants to respond to request for production of communication between federal agency Defendants and OMB, OPM, or DOGE regarding RIF and reorganization plans that provide evidence regarding legality of plans. • 7/14/2025: Defendants filed opposition to request for expedited discovery and request for modification highlighting 7/8/2025 Supreme Court decision and that the Court should stay any further disclosure order. • 7/15/2025: Defendants filed motion for protective order and/or quash Plaintiffs’ request for production of documents; motion to shorten time for response to motion to quash and for a protective order; and opposition to Plaintiffs’ motion to shorten time for request for production. • 7/16/2025: Judge Illston granted Defendants’ motion to shorten time to respond to motion to quash and for a protective order. • 7/18/2025: Judge Illston granted in part and denied in part Defendants’ request for a protective order and ordered to publicly file a list of RIFs referenced in application for a stay before the Supreme Court. 	

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	<ul style="list-style-type: none"> • 7/21/2025: Defendants filed notice of motion and motion to dismiss amended complaint for lack of jurisdiction. Plaintiffs filed opposition to motion for protective order and order quashing request for production of documents. • 7/23/2025: Defendants filed reply in support of motion for protective order and order quashing request for production of documents. • 7/24/2025: Ninth Circuit granted Defendants' request for an administrative stay. • 7/25/2025: Judge Illston denied Plaintiffs' request to shorten time for request for document production and denied Defendants' motion to quash and for protective order. • 7/28/2025: Judge Illston filed statement in response to Defendants' petition for a writ of mandamus, seeking review of 7/18/2025 discovery order. • 7/29/2025: Defendants filed stipulation to extend time to respond to motion to dismiss for two weeks. • 7/31/2025: Judge Illston granted stipulation to extend time. • 8/4/2025: Defendants filed opposition to motion for order requiring production of administrative record(s), such as OMB/OPM memorandum and OMB/OPM approval. • 8/5/2025: Plaintiffs filed reply in support of motion for order requiring production of administrative record(s) given ARRs are final agency action subject to APA review. • 8/6/2025: Judge Illston denied without prejudice motion for requiring production of administrative record as much of the information overlaps with other discovery requests issued and already ruled. • 8/11/2025: Ninth Circuit ordered Defendants to respond to Plaintiffs motion to remand by 8/13/2025. • 8/12/2025: Plaintiffs filed request for status conference and/or clarification of orders re: discovery. Defendants filed response to Plaintiffs' request, asking the Court to deny clarification or conference. Defendants filed revised response. 	
<p>Executive Branch Action: The Reevaluating and Realigning United States Foreign Aid 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 ordered the pausing all foreign assistance pending a review and issued stop-work orders for the United States Agency for International Development (USAID) (see contemporaneous coverage 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, "The Chaos at USAID, Explained," that provided a summary of what had been going on at the agency since AGS first reported on this EO (1/29/2025 issue of Last Week in Washington).</p>		
2/10/2025	<i>AIDS Vaccine Advocacy Coalition, Journalism Development Network v. United States Department of State, et al.</i>	8/21/2025: Defendants filed status report outlining total payments made to Plaintiffs

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	<p>Plaintiffs in this complaint 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>Filed in: United States District Court for the District of Columbia</p> <p>Prior Actions</p> <ul style="list-style-type: none"> • 2/12/2025: Plaintiffs filed motion for a TRO blocking the enforcement of the EO and State Department policy, and stop-work orders, as well as reinstating foreign assistance funding. • 2/13/2025: District Judge Amir Ali granted a TRO in this case and <i>Global Health Council v. Trump</i> enjoining the implementation on the foreign aid funding suspension. • 2/19/2025: Plaintiffs filed emergency motion for TRO enforcement and to hold defendants in civil contempt alleging that defendants’ compliance “strains credulity.” • 2/20/2025: Defendants filed reply to opposition to motion for TRO enforcement and civil contempt. Judge Ali granted 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>. • 2/21/2025: Defendants filed memorandum in opposition to motions for preliminary relief. • 2/25/2025: The court granted the motion for proposed order 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 notice of decision to appeal the court’s order and a motion to stay the order pending appeal. • 2/26/2025: Judge Ali denied and the U.S. Court of Appeals for the District of Columbia Circuit dismissed the motion for a stay. Defendants filed an application with the U.S. Supreme Court to vacate the TRO and grant an immediate administrative stay. Chief Justice Roberts granted an administrative stay and ordered plaintiffs to respond by 2/28/2025. • 2/27/2025: Plaintiffs filed reply in support of motion for preliminary relief. • 2/28/2025: Plaintiffs in this case and <i>Global Health Council v. Trump</i> filed an opposition to application to vacate order with the Supreme Court. • 3/3/2025: 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 reply in support of application to vacate in the Supreme Court. 	<p>was 1,443 with 4 remaining and to non-Plaintiffs was 1,464 with 1,750 remaining.</p>

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	<ul style="list-style-type: none"> • 3/5/2025: The Supreme Court vacated 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 reporting from <i>The Hill</i>). • 3/6/2025: 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 coverage from CNN). • 3/10/2025: Judge Ali granted in part and denied in part 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 sur-reply to motion for TRO. • 3/14/2025: Joint status report filed outlining the parties’ inability to agree on defendants’ compliance with the preliminary injunction and schedule for next steps. • 3/19/2025: Defendants filed status report 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. • 3/28/2025: 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’ response to defendants’ 3/19/2025 report on missed deadlines for payment and defendants’ status report 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. • 4/1/2025: Defendants filed notice of appeal 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. • 4/11/2025: Defendants filed unopposed motion for partial administrative stay 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. • 4/17/2025: Defendants filed status report 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>. 	

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	<ul style="list-style-type: none"> • 4/22/2025: Defendants filed mandate of the US Court of Appeals for the District of Columbia Circuit. • 4/25/2025: Plaintiffs filed response to motion for indicative ruling regarding preliminary injunction. • 5/1/2025: Defendants filed status report 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. • 5/2/2025: Plaintiffs filed amended complaint, adding The Center for Victims of Torture to the Plaintiff party and Defendants filed reply in support of motion for indicative ruling regarding preliminary injunction. • 5/13/2025: Judge Ali denied Defendants' motion for an indicative ruling given lack of showing necessary to warrant partial dissolution of the injunction and lack of reason to conclude that the injunction is "detrimental to the public interest." • 5/22/2025: Defendants filed status report outlining that the total number of payments processed to plaintiffs was 23 and non-plaintiffs was 907 and that there are approximately 2,500 payments remaining to be processed to both. • 6/3/2025: Defendants filed motion to dismiss amended complaints and text of proposed order. • 6/5/2025: Judge Ali granted in part and denied in part the motion to strike, striking Defendants' motion to dismiss for failure to comply with Local Civil Rule 7(e). • 6/12/2025: Defendants filed motions to dismiss amended complaints and status report outlining payments processed through 6/11/2025 and number of remaining payments. Plaintiffs filed motion to compel production of the administrative record following Defendants filing amended motion to dismiss amended complaints. • 6/13/2025: Plaintiffs filed motion to enforce the preliminary injunction given Defendants have not produced evidence of obligating any portion of the impounded funds. • 6/23/2025: Defendants filed opposition to Plaintiffs' motion to enforce the preliminary injunction given Defendants' compliance. • 6/26/2025: Defendants filed opposition to Plaintiffs' motion to compel production of the administrative record and requested the Court stay any requirement to file a certified copy until after Rule 12(b) motion fully resolved. • 6/27/2025: Plaintiffs filed reply in support of motion to enforce the preliminary injunction due to non-compliance and lack of detailing specific steps taken to date to be in compliance. • 7/1/2025: Defendants filed notice of supplemental authority on Supreme Court's announcement on restrictions on universal injunctions pertinent to disposition of that motion in <i>Trump v. CASA, Inc.</i> 	

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	<ul style="list-style-type: none"> • 7/3/2025: Plaintiffs filed reply in support of motion to compel the administrative record as required by Local Rule 7(n)(1) without obtaining leave of court. Defendants filed status report outlining payments processed through and including 7/2/2025 – the total number of payments remaining for Plaintiffs is 9 and non-Plaintiffs is 1,943. • 7/7/2025: Plaintiffs filed response to notice of supplemental authority on <i>Trump v. CASA, Inc.</i> case that the Supreme Court’s order granting a stay does not impact the district court’s authority to enforce its preliminary injunction. • 7/10/2025: Defendants filed status report outlining payments made through 7/9/2025 and the total number of remaining payments to be processed for Plaintiffs is 9 and for non-Plaintiffs is 2,176. • 7/15/2025: Judge Ali ordered that the brief schedule on motion to dismiss is held in abeyance pending the DC Circuit’s ruling on appeal of the preliminary injunction. • 7/16/2025: Plaintiffs filed supplemental memorandum in support of Plaintiffs’ motion to compel the administrative record. • 7/17/2025: Defendants filed status report outlining payments made through 7/16/2025 and the total number of remaining payments to be processed for Plaintiffs is 10 and for non-Plaintiffs is 2,298. • 7/21/2025: Judge Ali granted in part and denied in part motions to enforce preliminary injunction without prejudice to being renewed following appellate court’s decision. • 7/24/2025: Defendants filed status report outlining payments made and total number of payments remaining to be processed for Plaintiffs is 5 and for non-Plaintiffs is 2,064. • 7/31/2025: Defendants filed status report outlining payments made through 7/30/2025 and the total number of remaining payments to be processed for Plaintiffs is 5 and for non-Plaintiffs is 1,879. • 8/7/2025: Defendants filed status report outlining payments made through 8/6/2025 and the total number of remaining payments to be processed for Plaintiffs is 5 and for non-Plaintiffs is 1,839. • 8/11/2025: Defendants filed motion for clarification of order to enforce preliminary injunction and the preliminary injunction order with respect to agreements based on exercise of authorities under statutes, regulations, and other legal authorities. • 8/15/2025: Defendants filed motion for partial stay of preliminary injunction pending issuance of DC Circuit mandate that enjoined Defendants “from unlawfully impounding congressionally appropriated foreign aid funds and shall make available for obligation the full amount of funds that Congress appropriated... in the Further Consolidated Appropriations Act of 2024.” • 8/20/2025: Plaintiffs filed response in opposition to motion for partial stay and Defendants filed reply in support of motion for partial stay. 	
2/11/2025	<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>	8/21/2025: Defendants filed status report outlining total

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	<p>Plaintiffs in this complaint 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>Filed in: United States District Court for the District of Columbia</p> <p>Prior Actions</p> <ul style="list-style-type: none"> • 2/11/2025: Plaintiffs filed motion for TRO to enjoin the EO and stop-work order. • 2/13/2025: Judge Ali granted a TRO 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. • 2/20/2025: Judge Ali granted in part 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>. • 2/24/2025: Plaintiffs filed emergency renewed motion to enforce the TRO. • 2/25/2025: The court granted the motion for proposed order 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 notice of decision to appeal the court's order and a motion to stay the order pending appeal. • 2/26/2025: Judge Ali denied and the U.S. Court of Appeals for the District of Columbia Circuit dismissed the motion for a stay. Defendants filed an application with the U.S. Supreme Court to vacate the TRO and grant and immediate administrative stay. Chief Justice Roberts granted an administrative stay and ordered plaintiffs to respond by 2/28/2025. • 2/27/2025: Plaintiffs filed reply in support of motion for preliminary injunction. • 2/28/2025: Plaintiffs in this case and <i>AIDS Vaccine Advocacy Coalition v. United States Department of State</i> filed an opposition to application to vacate order with the Supreme Court. • 3/3/2025: 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 reply in support of application to vacate in the Supreme Court. • 3/5/2025: The Supreme Court vacated 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 reporting from <i>The Hill</i>). • 3/6/2025: 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 coverage from CNN). 	<p>payments made to Plaintiffs was 1,443 with 4 remaining and to non-Plaintiffs was 1,464 with 1,750 remaining.</p>

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	<ul style="list-style-type: none"> • 5/13/2025: Judge Ali denied Defendants’ motion for an indicative ruling given lack of showing necessary to warrant partial dissolution of the injunction and lack of reason to conclude that the injunction is ”detrimental to the public interest.” • 5/22/2025: Defendants filed status report outlining that the total number of payments processed to plaintiffs was 23 and non-plaintiffs was 907 and that there are approximately 2,500 payments remaining to be processed to both. • 6/3/2025: Defendants filed motion to dismiss amended complaints and text of proposed order. • 6/5/2025: Judge Ali granted in part and denied in part the motion to strike, striking Defendants’ motion to dismiss for failure to comply with Local Civil Rule 7(e). • 6/12/2025: Defendants filed motions to dismiss amended complaints and status report outlining payments processed through 6/11/2025 and number of remaining payments. • 6/24/2025: Plaintiffs filed motion to enforce preliminary injunction by confirming obligation of all expiring foreign assistance appropriations, requiring detailed plan for compliance, ordering immediate start of obligating funds, making clear noncompliance is not leverage to impound funds, preventing impoundment, and prohibiting effectuation of terminations. • 6/30/2025: Defendants filed memorandum in opposition of Plaintiffs’ motion to enforce preliminary injunction given lack of applicable statutory requirement that Executive Branch expend all appropriated funds here. • 7/3/2025: Defendants filed status report outlining payments processed through and including 7/2/2025 – the total number of payments remaining for Plaintiffs is 9 and non-Plaintiffs is 1,943. Plaintiffs filed reply in support of motion to enforce preliminary injunction. • 7/10/2025: Defendants filed status report outlining payments made through 7/9/2025 and the total number of remaining payments to be processed for Plaintiffs is 9 and for non-Plaintiffs is 2,176. • 7/11/2025: Plaintiffs filed motion to hold in abeyance briefing schedule on Defendants’ motion to dismiss given the case which involves distinct parties and a number of distinct claims and issues, including claims related to the ability of Global Health Council Plaintiffs and their members to compete for the full spectrum of foreign assistance appropriations. • 7/15/2025: Judge Ali granted motion to hold in abeyance the briefing scheduling on Defendants’ motion to dismiss pending DC Circuit’s ruling on appeal of preliminary injunction. • 7/17/2025: Defendants filed status report outlining payments made through 7/16/2025 and the total number of remaining payments to be processed for Plaintiffs is 10 and for non-Plaintiffs is 2,298. • 7/21/2025: Judge Ali granted in part and denied in part motions to enforce preliminary injunction without prejudice to being renewed following appellate court’s decision. • 7/23/2025: Defendants filed supplemental brief in opposition to motion to enforce preliminary injunction. 	

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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 complaint 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>Filed in: United States District Court for the District of Columbia</p> <p>Prior Actions</p> <ul style="list-style-type: none"> • 2/7/2025: District Judge Carl Nichols issued a TRO 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. • 2/13/2025: Preliminary injunction hearing was held and Judge Nichols extended the TRO to February 21, 2025, and amended the TRO to clarify that no USAID employees shall be involuntarily evacuated from their host countries. 	<p>8/5/2025: Plaintiffs filed notice of appeal to the US Court of Appeals for the District Columbia Circuit from 7/25/2025 order and the memorandum opinion granting motion to dismiss and denying summary judgment.</p>

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	<ul style="list-style-type: none"> • 2/14/2025: Defendants submitted a declaration in response to the Court's questions 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 reporting from <i>ABC News</i>). • 2/21/2025: Judge Nichols dissolved the TRO and rejected the preliminary injunction because plaintiffs do not face irreparable harm and Court likely lacks jurisdiction over the plaintiffs' claims. • 3/10/2025: Plaintiffs filed motion for summary judgment claiming Court has jurisdiction. • 3/11/2025: Plaintiffs filed an emergency motion for a TRO 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 memorandum in opposition to motion to expedite. • 3/12/2025: Defendants filed opposition to emergency motions for TRO and plaintiffs filed reply to opposition to motion to expedite. • 3/13/2025: Plaintiffs filed notice of withdrawal of motion for TRO based on defendants' supporting declaration and correspondence between Counsel that USAID will not destroy additional documents 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. • 3/31/2025: 202 members of Congress filed proposed amicus curiae brief in support of plaintiffs' pending motion for summary judgment. • 4/7/2025: Defendants filed motion to dismiss or in the alternative, motion for summary judgment. • 4/21/2025: Plaintiffs filed reply in support of motion for summary judgment and in opposition to motion to dismiss or for summary judgment. • 4/24/2025: Plaintiffs filed notice of supplemental authority on <i>Widakuswara v. Lake</i> case decision partially granting motion for preliminary injunction seeking to enjoin dissolution of US Agency for Global Media. • 4/28/2025: Plaintiffs filed opposition to defendants' motion for extension of time as injuries have not been ameliorated and worsen with time. • 5/12/2025: Defendants filed reply in support of motion to dismiss or motion for summary judgment. • 5/30/2025: Judge Nichols ordered that the parties file supplemental briefs regarding development of <i>Widakuswara v. Lake</i> case that is under review in Court of Appeals – motions panel held that 	

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	<p>“the district court likely lacked subject-matter jurisdiction to enjoin [US Agency for Global Media]’s personnel actions.”</p> <ul style="list-style-type: none"> • 6/6/2025: Plaintiffs filed supplemental brief and Defendants filed separate supplemental brief regarding <i>Widakuswara v. Lake</i> and the government’s motion to partially stay the preliminary injunction issued in that case. • 7/25/2025: Judge Nichols denied Plaintiffs’ motion for summary judgment, granted Defendants’ motion to dismiss, dismissed Plaintiffs’ amended complaint, and directed the Clerk to terminate the case. 	
<p>Executive Branch Action: The Defending Women from Gender Ideology Extremism and Restoring Biological Truth to the Federal Government EO (Gender EO) directed agencies to ensure that federal grant funds are not being used to promote “gender ideology” (see contemporaneous article from <i>The Hill</i>). On 1/29/2025, the Office of Personnel Management (OPM) issued guidance 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 coverage 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 & Human Services.</i></p> <p>Plaintiffs in this complaint 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>Filed in: United States District Court for the District of Columbia</p> <p>Prior Actions</p> <ul style="list-style-type: none"> • 2/11/2025: District Judge John Bates issued a memorandum opinion and TRO 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. 	<p>8/22/2025: Defendants filed compliance report determining compliance with the order as to 151 identified webpages and that 22 identified webpages are not subject to the order with 49 left to review.</p>

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	<ul style="list-style-type: none"> • 2/13/2025: Joint status report submitted describing efforts to comply with the TRO and noting that on or before February 18, • 2/18/2025: Plaintiffs filed an amended complaint that included additional plaintiff, the City and County of San Francisco • 2/21/2025: Joint status report 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. • 2/24/2025: Judge Bates concluded that the irreparable harm justified in the TRO is no longer present and ordered that plaintiffs file any joint motion for preliminary injunction and summary judgment by 3/7/2025. • 3/7/2025: Joint motion filed to modify the briefing schedule. 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. • 3/11/2025: Plaintiffs filed motion for preliminary injunction and expedited summary judgment 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. • 3/24/2025: Defendants filed cross-motion for summary judgment and memorandum in support of cross-motion and opposition to motion for preliminary injunction/expedited summary judgment. • 4/3/2025: Plaintiffs filed reply memorandum in further support of motion for preliminary injunction and expedited summary judgment and memorandum in opposition to defendants' cross-motion for summary judgment. • 4/16/2025: Defendants filed reply memorandum in support of cross-motion for summary judgment. • 4/18/2025: Defendants filed status report on progress of reviewing relevant webpages and reported to not have further modified or removed any relevant webpage or content. • 5/16/2025: Defendants filed final status report outlining the processes and results of reviewing relevant webpages for compliance with the Gender EO and noted that Defendants will take lawful steps as necessary to comply with the EO, including modifying information, removing information, moving a webpage to archival status, removing a webpage altogether, or any action consistent with applicable law. • 5/21/2025: Plaintiffs filed response to status report noting that it drastically rearranges the backdrop against which the Court decided not to extend the TRO and that the Court should act expeditiously to decide the Plaintiffs' pending motion for preliminary injunction. • 5/27/2025: Plaintiffs filed notice of supplemental authority around the decisions issued for <i>Schiff v. Office of Personnel Management</i> which reinforces that the OPM guidance exceeded OPM's authority and the webpage removals were arbitrary and capricious. 	

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	<ul style="list-style-type: none"> • 7/2/2025: Judge Bates granted summary judgment on Counts I (OPM memo exceeded statutory authority) and III (OPM Memo and HHS Guidance – removal or substantial modification of webpages were arbitrary and capricious), denied Count II (individual webpage removals violate Evidence-Based Policymaking Act), and denied as moot request for preliminary injunction. Judge Bates also vacated OPM and HHS directives around the Gender EO and ordered that the Defendants restore Plaintiff-identified webpages to their versions as of 1/29/2025 and revert to their prior versions any substantial modifications made. • 7/18/2025: Defendants filed status report describing steps to ensure compliance with final judgment order on restoring and reverting identified webpages. • 7/25/2025: Defendants filed status report describing continued steps taken to ensure compliance with final judgment order. • 8/1/2025: Defendants filed status report describing steps to ensure compliance, determining compliance with the order as to 101 identified webpages and that 23 identified webpages are not subject to the order. • 8/8/2025: Defendants filed compliance report, determining compliance with the judgment order as to 126 identified webpages, and that 22 identified webpages are not subject to the order with 74 left to review, all of which belong to CDC. 	
4/2/2025	<p><i>American Public Health Association, et al. v. National Institutes of Health, et al.</i></p> <p>Plaintiffs in this complaint 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 (see contemporaneous reporting from <i>NBC News</i> and the American Civil Liberties Union (ACLU) release).</p> <p>Filed in: United States District Court for the District Court of Massachusetts</p> <p>Prior Actions</p> <ul style="list-style-type: none"> • 4/25/2025: Plaintiffs filed motion for preliminary injunction enjoining Defendants from implementing directives on terminating grants and suspending normal review grant processes. • 5/2/2025: Amicus curiae brief filed by biological and biomedical research societies in support of Plaintiffs' motion for preliminary injunction (partners in the NIH Maximizing Opportunities for Scientific and Academic Independent Careers (MOSAIC) grant program). • 5/12/2025: Defendants filed opposition to motion for preliminary injunction. 	<p>8/21/2025: In a 5-4 decision, the US Supreme Court on granted the Administration's request to pause the judgment that required NIH to disburse the funds of more than 1,700 in terminated grants that were focused on gender, diversity, equity, and inclusion. While the grants remain canceled for now, the justices are allowing the blocking of guidance documents for future grant cuts as the case continue (see contemporaneous reporting from Politico and Axios).</p>

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	<ul style="list-style-type: none"> • 5/19/2025: Plaintiffs filed reply in support of motion for preliminary injunction. • 5/22/2025: Motion for preliminary injunction hearing held and Court ordered Plaintiffs to provide spreadsheet of grants and Defendants to produce administrative records as to the directives; status conference on management of related cases (<i>Commonwealth of Massachusetts v. RFK</i>) set for 6/3/2025; amicus brief filed by AAMC and other societies in support of motion for preliminary injunction. • 5/23/2025: Plaintiffs filed supplemental brief regarding associational standing of plaintiff United Automobile, Aerospace, and Agricultural Implement Workers. • 5/27/2025: Biological and biomedical research societies filed amicus brief in support of motion for preliminary injunction. • 5/30/2025: District Judge William Young granted dismissal of Counts IV (violation of APA – contrary to constitutional right), VI (violation of the Fifth Amendment – void for vagueness), and VII (violation separation of powers) and denied the remaining counts including motion to dismiss for violation of APA (arbitrary and capricious; not in accordance with law; exceeds statutory authority; unlawfully withheld, unreasonable delay, or failing to conclude matter presented) and lack of subject matter jurisdiction. Oral argument on Phase I is set for 6/16/2025. • 6/9/2025: Defendants filed merits brief on Phase 1. Plaintiffs filed motion to complete administrative record and for expedited briefing as well as their opening brief for Phase 1 proceeding. • 6/13/2025: Plaintiffs filed notice of service for producing a supplement list of terminated grants and grant programs that impact Plaintiffs and a response to Defendants’ merits brief on Phase 1. Defendants filed response to Plaintiffs’ opening brief. • 6/16/2025: Judge Young determined that the Administration’s actions to terminate certain NIH funding for biomedical research grants were unlawful and discriminatory and ordered immediate restoration of grants cancelled (see contemporaneous reporting from Politico and Healthcare Finance). • 6/20/2025: Defendants filed motion to dismiss and memorandum for the complaint on delay/phase 2 claims for lack of jurisdiction and failure to state a claim. Plaintiffs filed opposition to expedited deadline request and response to motion to dismiss. • 6/23/2025: Judge Young entered partial final judgment declaring the directives to terminate DEI-related NIH grants unlawful and ordered the directives to be vacated. Defendants filed notice of appeal to the US Court of Appeals for the First Circuit and motion for a stay of partial judgment. • 6/24/2025: Judge Young denied the request to stay pending appeal highlighting the irreparable harm of delaying the release of funds for even one day given the case is around “equity concerning health research already bought and paid for by [Congress] through funds appropriated for 	

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	<p>expenditure and properly allocated during this fiscal year” (see contemporaneous coverage from <i>Axios</i>).</p> <ul style="list-style-type: none"> • 6/30/2025: Plaintiffs filed opposition to motion to dismiss for lack of jurisdiction and failure to state a claim (Phase 2 claims). • 7/2/2025: Judge Young ordered partial separate and final judgments in favor of the Plaintiffs on the APA claims. The Court found that 1. There was pervasive racial discrimination in selecting grants for termination and needs to fashion a permanent injunction prevent continuation of practice; 2. Grant terminations demonstrate an unmistakable pattern of discrimination against women’s health issues and parties need a chance to present evidence of harm; and 3. There has been extensive discrimination against LGBTQ+ community, however the Court is not warranted in considering injunctive relief (see contemporaneous reporting from <i>STAT</i>). • 7/9/2025: Defendants filed notice of production of the Certified Administrative Record for Phase 2 of the case proceedings via box.com. • 7/18/2025: First Circuit denied request to stay judgment. • 7/24/2025: Defendants filed emergency appeal to the US Supreme Court and requested immediate administrative stay pending appeal (see contemporaneous coverage from SCOTUSblog, CBS News, and The Hill). • 7/28/2025: Judge Young held status conference, setting final pretrial conference for 9/2/2025, and reiterated that the funding freeze of NIH grants were based on “palpable” gender and racial discrimination (see contemporaneous reporting from Law360). • 8/15/2025: Defendants filed a memorandum of law objecting to the district court’s consideration or entry of an order on discrimination in the cases. 	
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 complaint 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 reporting from <i>The Hill</i>).</p> <p>Filed in: United States District Court for the District of Massachusetts</p> <p>Prior Actions</p>	<p>8/21/2025: In a 5-4 decision, the US Supreme Court on granted the Administration’s request to pause the judgment that required NIH to disburse the funds of more than 1,700 in terminated grants that were focused on gender, diversity, equity, and inclusion. While the grants remain canceled for now, the justices are allowing the blocking of guidance documents for</p>

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	<ul style="list-style-type: none"> • 4/4/2025: Complaint filed and plaintiffs filed motion for TRO. • 4/8/2025: Plaintiffs filed assented-to motion to set a briefing scheduling on motion for preliminary injunction and notice of withdrawal of motion for a TRO. • 4/14/2025: Plaintiffs filed motion for preliminary injunction and memorandum in support of motion. • 4/17/2025: The Association of American Medical Colleges (AAMC) filed an amicus brief highlighting that the research enterprise is being undermined by the termination of grants as well as the delay and cancellation of new grants (see statement from AAMC President and CEO). The hearing for the preliminary injunction motion is scheduled for May 9th. • 5/1/2025: Defendants filed opposition to motion for preliminary injunction and submitted examples of active, not terminated grants. • 5/2/2025: Hearing on motion for preliminary injunction reset for 5/8/2025 before Judge William Young following Judge Brian Murphy's recusal. • 5/5/2025: Plaintiffs filed reply in support of motion for preliminary injunction. • 5/8/2025: Hearing for motion for preliminary injunction held and Court heard argument on subject matter jurisdiction. • 5/12/2025: Judge Young ruled that the Court has subject matter jurisdiction over the matter and scheduled a case management conference for the following day. • 5/23/2025: Status conference on management of related cases (<i>APHA v. NIH</i>) set for 6/3/2025. • 6/2/2025: Defendants filed notice of production of administrative record that includes notices of award sent via box.com. • 6/3/2025: Status conference held and scheduled hearing on 6/16/2025. • 6/9/2025: Plaintiffs filed motion to complete the administrative record and memorandum of law of first-phase issues. Defendants filed opening brief. • 6/10/2025: Plaintiffs filed notice regarding 6/16/2025 hearing that existing record is sufficient to allow the Court to resolve arguments on non-merits issues given Defendants have not challenged Plaintiffs' submissions as a factual matter. • 6/16/2025: Judge Young determined that the Administration's actions to terminate certain NIH funding for biomedical research grants were unlawful and discriminatory and ordered immediate restoration of grants cancelled (see contemporaneous reporting from Politico and Healthcare Finance). • 6/20/2025: Defendants filed motion to dismiss and memorandum for the phase 2 claims for lack of jurisdiction and failure to state a claim. Plaintiffs filed opposition to expedited deadline request. 	<p>future grant cuts as the case continue (see contemporaneous reporting from Politico and Axios).</p>

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	<ul style="list-style-type: none"> • 6/23/2025: Judge Young entered final judgment declaring the directives to terminate DEI-related NIH grants unlawful and ordered the directives to be vacated. Defendants filed notice of appeal to the US Court of Appeals for the First Circuit and motion for a stay of partial judgment. • 6/24/2025: Judge Young denied the request to stay pending appeal highlighting the irreparable harm of delaying the release of funds for even one day given the case is around “equity concerning health research already bought and paid for by [Congress] through funds appropriated for expenditure and properly allocated during this fiscal year” (see contemporaneous coverage from <i>Axios</i>). • 6/30/2025: Plaintiffs filed opposition to Defendants’ motion to dismiss unreasonable-delay claims. • 7/2/2025: Judge Young ordered partial separate and final judgments in favor of the Plaintiffs on the APA claims. The Court found that 1. There was pervasive racial discrimination in selecting grants for termination and needs to fashion a permanent injunction prevent continuation of practice; 2. Grant terminations demonstrate an unmistakable pattern of discrimination against women’s health issues and parties need a chance to present evidence of harm; and 3. There has been extensive discrimination against LGBTQ+ community, however the Court is not warranted in considering injunctive relief (see contemporaneous reporting from <i>STAT</i>). • 7/9/2025: Defendants filed notice of production of the Certified Administrative Record for Phase 2 of the case proceedings via box.com. • 7/18/2025: First Circuit denied request to stay judgment. • 7/24/2025: Defendants filed emergency appeal to the US Supreme Court and requested immediate administrative stay pending appeal (see contemporaneous coverage from SCOTUSblog, CBS News, and The Hill). • 7/28/2025: Judge Young held status conference, setting final pretrial conference for 9/2/2025, and reiterated that the funding freeze of NIH grants were based on “palpable” gender and racial discrimination (see contemporaneous reporting from Law360). • 7/30/2025: Defendants filed opposition to request for Phase 2 discovery in light of impending pre-trial conference on 9/2/2025 and bench trial shortly thereafter. • 8/15/2025: Defendants filed a memorandum of law objecting to the district court’s consideration or entry of an order on discrimination in the cases. 	
Executive Branch Action: Related to the Gender EO, the Protecting Children from Chemical and Surgical Mutilation 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.		
2/4/2025	<i>PFLAG</i> (previously known as the Parents, Families, and Friends of Lesbians and Gays), <i>et al.</i> v. <i>Donald J. Trump, in his official capacity as President of the United States, et al.</i>	8/15/2025: Plaintiffs filed memorandum in opposition to

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	<p>Plaintiffs (including GLMA: Health Professionals Advancing LGBTQ+ Equality (previously known as the Gay & Lesbian Medical Association), transgender young adults, and families with transgender youth) in this complaint 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 coverage from Roll Call.</p> <p>Filed in: United States District Court for the District of Maryland</p> <p>Prior Actions</p> <ul style="list-style-type: none"> • 2/5/2025: Plaintiffs submitted emergency motion for TRO. • 2/13/2025: District Judge Brendan Hurson issued a 14-day TRO blocking the withholding of federal funding based on a healthcare entity or health professional providing gender affirming medical care. • 2/14/2025: Defendants submitted conditional motion to clarify TRO. • 2/18/2025: Judge Hurson granted defendants' condition motion to clarify TRO. Plaintiffs filed motion for preliminary injunction. • 2/21/2025: Plaintiffs filed motion to extend TRO and defendants file opposition to plaintiffs' motion to extend TRO. Joint status report submitted describing positions on plaintiffs' motion for preliminary injunction. • 2/26/2025: Judge Hurson extended the TRO until 3/5/2025 and plaintiffs submitted a reply in support of their motion for a preliminary injunction. • 3/4/2025: Judge Hurson granted a preliminary injunction 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 10th about the preliminary injunction including instruction to agencies on the release of funds that were paused following the directives of the EOs (see Memorandum Opinion and contemporaneous reporting from <i>NBC News</i>). • 3/5/2025: Subagencies of HHS, the Centers for Medicare and Medicaid Services (CMS), HRSA, 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 and SAMHSA added that they "may also consider re-scoping, delaying, or potentially 	<p>motion to stay preliminary injunction pending appeal.</p>

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	<p>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"> • 3/7/2025: Plaintiffs filed emergency motion to enforce preliminary injunction following the notices that the defendants violated the order. • 3/10/2025: Defendants filed opposition 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 reply memorandum in support of emergency motion to enforce preliminary injunction. • 3/21/2025: Defendants filed notice of decision to appeal to the U.S. Court of Appeals for the Fourth Circuit from the 3/4/2025 preliminary injunction. • 3/28/2025: Judge Hurson denied 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. • 4/8/2025: Joint motion for limited partial stay of case deadlines filed pending resolution of appeal to the Fourth Circuit. Judge Hurson granted limited partial stay. • 5/12/2025: The Fourth Circuit granted the appellants’ unopposed motion for abeyance pending decision by the US Supreme Court in <i>United States v. Skrametti</i>. • 7/28/2025: Defendants filed memorandum in support of motion to stay preliminary injunction pending appeal given recent Supreme Court decisions in <i>Trump v. American Federation of Government Employees</i>, <i>United States v. Skrametti</i>, and <i>Trump v. CASA, Inc.</i> 	
<p>Executive Branch Action: On 2/7/2025, the National Institutes of Health (NIH) released the Supplemental Guidance to the 2024 NIH Grants Policy Statement: Indirect Cost Rates (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.</p>		
2/10/2025	<p><i>Commonwealth of Massachusetts, et al. v. National Institutes of Health, et al.</i></p> <p>In this complaint, 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 Roll Call and STATNews).</p> <p>Filed in: United States District Court for the District of Massachusetts</p> <p>Prior Actions</p>	<p>7/1/2025: Defendants-appellants filed reply brief positing that NIH seeks to ensure that as much taxpayer funding as possible goes towards direct research and that NIH’s action is reasonable and reasonably explained.</p>

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	<ul style="list-style-type: none"> • 2/10/2025: District Judge Angel Kelley granted an emergency motion for TRO and imposed a reporting requirement to confirm compliance. • 2/18/2025: Plaintiffs filed a reply in support of a TRO. • 2/21/2025: 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. • 2/25/2025: Defendants submitted a status report 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. • 3/5/2025: Judge Kelley granted a nationwide preliminary injunction 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 reporting from <i>STATNews</i>). • 4/4/2025: Defendants filed assented-to motion 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 final judgment and permanent injunction following review of defendants' motion (see contemporaneous reporting from <i>The New York Times</i>). • 4/8/2025: Defendants filed notice of appeal to the U.S. Court of Appeals for the First Circuit from final judgment and permanent injunction. • 6/16/2025: AGS joined 10 organizations of health care professionals on amicus briefs for the First Circuit to support the nationwide permanent injunction that blocked implementation of IC Guidance (see an example of the amicus briefs here). Several additional amicus briefs filed by various groups in support of the injunction order, including members of Congress, local governments and local government leaders, and higher education associations. 	
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 Association) in this complaint 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>Filed in: United States District Court for the District of Massachusetts</p>	<p>7/1/2025: Defendants-appellants filed reply brief positing that NIH seeks to ensure that as much taxpayer funding as possible goes towards direct research and that NIH's action is reasonable and reasonably explained.</p>

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	<p>Prior Actions</p> <ul style="list-style-type: none"> • 2/10/2025: Judge Mary Page Kelley issued a nationwide TRO against the IC Guidance effective until further order of the court (see reporting from Inside Higher Education). • 2/14/2025: Defendants filed an opposition to the motion for TRO. • 2/18/2025: Plaintiffs filed a reply in support of a TRO. • 2/21/2025: Judge Kelley ordered an extension of the existing TRO until further order issued resolving the request for a preliminary injunction during the motion hearing. • 2/26/2025: Defendants submitted a status report 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. • 3/5/2025: Judge Kelley granted a nationwide preliminary injunction 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 reporting from <i>STATNews</i>). • 4/4/2025: Defendants filed assented-to motion 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 final judgment and permanent injunction following review of defendants' motion (see contemporaneous reporting from <i>The New York Times</i>). • 4/8/2025: Defendants filed notice of appeal to the U.S. Court of Appeals for the First Circuit from final judgment and permanent injunction. • 6/16/2025: AGS joined 10 organizations of health care professionals on amicus briefs for the First Circuit to support the nationwide permanent injunction that blocked implementation of IC Guidance (see an example of the amicus briefs here). Several additional amicus briefs filed by various groups in support of the injunction order, including members of Congress, local governments and local government leaders, and higher education associations. 	
2/10/2025	<p><i>Association of American Universities, et al. v. Department of Health and Human Services, et al.</i> Plaintiffs (including American Council on Education (ACE), Association of Public and Land-Grant Universities, and 13 universities) in this complaint are seeking a declaratory judgment that the IC Guidance is unlawful and for preliminary and permanent injunctive relief.</p> <p>Filed in: United States District Court for the District of Massachusetts</p>	<p>7/1/2025: Defendants-appellants filed reply brief positing that NIH seeks to ensure that as much taxpayer funding as possible goes towards direct research and that NIH's action is</p>

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	<p>Prior Actions</p> <ul style="list-style-type: none"> • 2/10/2025: Defendants filed motion for TRO. In a statement, ACE noted that a TRO was not needed given that Judge Kelly’s order was nationwide. • 2/21/2025: 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. • 3/5/2025: Judge Kelley granted a nationwide preliminary injunction 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 reporting from <i>STATNews</i>). • 4/4/2025: Defendants filed assented-to motion 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 final judgment and permanent injunction following review of defendants’ motion (see contemporaneous reporting from <i>The New York Times</i>). • 4/8/2025: Defendants filed notice of appeal to the U.S. Court of Appeals for the First Circuit from final judgment and permanent injunction. • 6/16/2025: AGS joined 10 organizations of health care professionals on amicus briefs for the First Circuit to support the nationwide permanent injunction that blocked implementation of IC Guidance (see an example of the amicus briefs here). Several additional amicus briefs filed by various groups in support of the injunction order, including members of Congress, local governments and local government leaders, and higher education associations. 	reasonable and reasonably explained.
<p>Executive Branch Action: To date, several EOs have been issued around diversity, equity, inclusion, and accessibility (collectively, Anti-DEIA EOs). On 1/20/2025, the Ending Radical and Wasteful Government DEI Programs and Preferencing EO (Anti-Diversity 1 EO) rescinded DEI mandates that require federal contractors to promote affirmative action and diversity programs. On 1/21/2025, the Ending Illegal Discrimination and Restoring Merit-Based Opportunity 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 complaint 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.</p>	<p>5/7/2025: Plaintiff Restaurant Opportunities Center filed notice of voluntary dismissal without prejudice its claims in full against all Defendants.</p>

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	<p>Filed in: United States District Court for the District of Maryland Baltimore Division</p> <p>Prior Actions</p> <ul style="list-style-type: none"> • 2/13/2025: Plaintiffs filed a motion for a TRO and/or preliminary injunction. • 2/18/2025: Defendants filed a memorandum in opposition to the plaintiffs' 2/13/2025 motion. • 2/19/2025: Plaintiffs filed a supplemental brief to support the motion for a TRO and/or preliminary injunction. • 2/21/2025: District Judge Adam Abelson issued a preliminary injunction 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 enforcement of deterring DEI programs. See contemporaneous reporting from NPR and this statement from Democracy Forward. • 2/24/2025: Defendants submitted notice of appeal to the U.S. Court of Appeals for the Fourth Circuit. • 2/25/2025: Defendants submitted motion to stay injunction pending resolution of the appeal and requested expedited briefing and ruling. • 2/26/2025: The Court granted in part and denied in part the request to expedite the briefing noting that the motion to stay will be ruled on 3/3/2025. • 2/27/2025: Plaintiffs submitted motion to clarify 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 memorandum of law in opposition to the defendants motion to stay. • 2/28/2025: Judge Abelson ordered 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. • 3/3/2025: Judge Abelson denied defendants’ motion to stay injunction pending appeal explaining that the provisions being challenged violate the First Amendment protections for free speech. Defendants filed response to motion for clarification. • 3/4/2025: Plaintiffs filed response in further support of motion to clarify preliminary injunction . • 3/10/2025: Judge Abelson granted 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. • 3/13/2025: Plaintiffs filed emergency motion for status conference 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. 	
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	<ul style="list-style-type: none"> • 3/14/2025: Judge Abelson granted emergency motion for status conference regarding preliminary injunction compliance and the Fourth Circuit granted the defendants' motion for a stay of the preliminary injunction. • 3/17/2025: Plaintiffs filed motion to vacate scheduling order from District Court given Fourth Circuit's order to stay the preliminary injunction and Judge Abelson granted motion to vacate. • 3/21/2025: Plaintiffs filed motion to vacate 2/21/2025 preliminary injunction 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. • 4/1/2025: Defendants filed reply in opposition to motion to vacate preliminary injunction order. • 4/2/2025: Plaintiffs filed reply in further support of motion to vacate preliminary injunction order. • 5/1/2025: Judge Abelson denied 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. 	
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 complaint 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 reporting from MSN and this article from <i>Nonprofit Quarterly</i>.</p> <p>Filed in: United States District Court for the District of Columbia</p> <p>Prior Actions</p> <ul style="list-style-type: none"> • 2/20/2025: Plaintiffs submitted response to order to show cause contending that the case should be designated as related to the <i>National Council of Nonprofits</i> lawsuit. • 2/21/2025: Judge AliKhan concluded that the case is not related to <i>National Council of Nonprofits</i> and ordered that the case be transferred to the Calendar and Case Management Committee for random assignment. Case was randomly reassigned to Judge Timothy Kelly. • 2/28/2025: Plaintiffs submitted motion for preliminary injunction to prohibit the Defendants from enforcing and implementing provisions of Anti-DEIA EOs and Gender EO and memorandum of law in support of motion. • 3/3/2025: Judge Kelly ordered that the parties appear for a hearing on the motion for preliminary injunction on 3/19/2025. • 3/5/2025: Do No Harm filed motion to intervene as defendant. 	<p>6/30/2025: National Urban League and AIDS Foundation of Chicago filed amended and supplemental complaint for declaratory and injunctive relief.</p>

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	<ul style="list-style-type: none"> • 3/10/2025: Defendants filed response to motion to intervene in opposition on the ground that intervention is unnecessary. • 3/12/2025: Defendants filed opposition to motion for preliminary injunction. Judge Kelley denied Do No Harm’s motion to intervene. • 3/15/2025: Defendants filed notice of supplemental authority 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 reply to opposition to motion for preliminary injunction. • 3/24/2025: Following the preliminary injunction hearing on 3/19/2025, Judge Kelly ordered that plaintiffs and defendants file responses around additional information about challenged EO 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. • 3/26/2025: Defendants filed response to 3/24/2025 order outlining position on recusal that is it not warranted at this time and plaintiffs filed response outlining that they are not able to take a position due to limited information. • 4/7/2025: Defendants filed notice of supplementary authority, 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. • 4/15/2025: Defendants filed notice of supplemental authority, 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. • 5/2/2025: 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>. • 5/20/2025: Judge Kelly granted joint motion for leave to file amended and supplemental complaint and vacated deadline set in 4/14/2025 order. • 6/27/2025: Plaintiff National Fair Housing Alliance filed notice of voluntary dismissal without prejudice. 	
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Executive Branch Action: Following a 2/13/2025 phone call with OPM and follow-up OPM [memorandum](#) (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

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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> coverage via MSN and Federal News Network reporting .		
2/19/2025	<p><i>American Federation of Government Employees, et al. 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 complaint 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 terminations are for performance reason and Defendants are in violation of the APA and separation of powers principles by overriding statutes that authorize and regulate agency hiring/firing.</p> <p>Filed in: United States District Court for the Northern District of California San Francisco Division</p> <p>Prior Actions</p> <ul style="list-style-type: none"> • 2/23/2025: Amended complaint filed by plaintiffs to include OPM’s “What did you do last week?” email alleging that OPM violated the APA. Plaintiffs submitted motion for TRO and order to show cause why preliminary injunction should not be issued. • 2/26/2025: Defendants filed opposition to plaintiffs’ motion for a TRO and to show cause and plaintiffs filed reply in support of motion for TRO and order to show cause. • 2/27/2025: 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. • 2/28/2025: Court filed Judge Alsup’s memorandum opinion and order amending TRO 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. • 3/3/2025: Defendants issued revised guidance that “OPM is not directing agencies to take any specific performance-based actions regarding probationary employees.” • 3/4/2025: Plaintiffs filed motion for leave to amend complaint for addition of defendants and join new plaintiffs to preliminary injunction motion. 	<p>8/14/2025: Defendants filed reply in support of cross-motion for summary judgment.</p>

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	<ul style="list-style-type: none"> • 3/5/2025: Plaintiffs filed urgent request for status conference to discuss defendants' intention to not comply with order for Acting OPM Director Ezell to appear at the 3/13/2025 preliminary injunction hearing. • 3/7/2025: 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 reply to support motion for amendment. • 3/10/2025: Judge Alsup granted motion for leave to amend the complaint. Defendants filed ex parte application to vacate 3/13/2025 evidentiary hearing, quash subpoenas, and for a protective order. Plaintiffs filed opposition to ex parte motion. Judge Alsup denied 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. • 3/13/2025: Judge Alsup granted 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 reporting from <i>Politico</i>). The Administration filed a notice of decision to appeal the preliminary injunction in the U.S. Court of Appeals for the Ninth Circuit. • 3/14/2025: Defendants filed ex parte application to stay the 3/13/2025 preliminary injunction pending appeal and plaintiffs filed opposition to ex parte motion to stay the preliminary injunction and motion to strike declarations. • 3/15/2025: Judge Alsup denied the ex parte motion to stay preliminary injunction pending appeal. • 3/17/2025: The Ninth Circuit denied the defendants' request for an immediate administrative stay. • 3/24/2025: Judge Alsup determined that the Court has subject-matter jurisdiction to hear and decide the public-sector union plaintiffs' claims as well as organizational plaintiffs' claims and ordered 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. • 3/26/2025: Plaintiffs filed motion to compel compliance with preliminary injunction or hold defendants in contempt, plaintiff state of Washington filed motion for preliminary injunction, and the Ninth Circuit denied the defendants' request to stay the preliminary injunction. • 3/28/2025: Judge Alsup granted in part and denied in part 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. • 3/31/2025: Defendants filed reply in opposition to motion for preliminary injunction and reply in opposition to motion to compel compliance with preliminary injunction or hold defendants in contempt. 	

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	<ul style="list-style-type: none"> • 4/1/2025: Plaintiffs filed brief on ex parte application order and defendants filed reply to 3/28/2025 order requesting the Court reverse its prior ruling allowing discovery and instead direct negotiation of a schedule for further briefing. • 4/2/2025: Plaintiffs filed supplemental authority, 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. • 4/3/2025: Plaintiffs filed reply in support of motion to compel compliance with preliminary injunction. • 4/4/2025: Defendants filed reply in support of brief for additional relief available to union plaintiffs and public-sector union plaintiffs' filed reply memorandum in support of further injunctive relief. • 4/5/2025: Defendants filed reply in support of response to 3/28/2025 order requesting directing negotiation of briefing schedule. • 4/7/2025: Defendants filed notice of additional steps taken to comply with 3/13/2025 preliminary injunction. • 4/8/2025: U.S. Supreme Court paused 3/13/2025 preliminary injunction order (see contemporaneous reporting from SCOTUSblog and Politico). • 4/18/2025: Judge Alsup granted provisional relief 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. • 4/23/2025: Defendants filed notice of appeal to the US Court of Appeals for the Ninth Circuit from the preliminary injunction order. • 5/3/2025: Plaintiff for <i>Hang Zhang v. Daniel Driscoll, Secretary, Department of the Army</i> filed notice of motion for preliminary injunction and motion to relate action to <i>AFL-CIO v. OPM</i> following motion to relate case 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. • 5/6/2025: Defendants filed opposition to third party Hang Zhang's motions to relate cases and strike motion for preliminary injunction. • 5/7/2025: Judge Alsup determined that cases are not related and denied Plaintiff Zhang's motion. • 5/15/2025: Judge Alsup ordered HHS to file a sworn declaration detailing their compliance and address compliance as to each of the 124 terminated probationers who stated they have not received any notice from HHS. 	

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	<ul style="list-style-type: none"> • 5/22/2025: Defendants filed notice of HHS declaration of compliance with preliminary injunction on written notices to each terminated probationers. • 6/5/2025: Plaintiffs filed motion for summary adjudication of claims I-IV on the grounds that the administrative record compiled by OPM conclusively resolved the material factual dispute in the case. • 7/1/2025: Defendants filed stipulation and proposed order related to request to exceed page limitation for cross-motion for summary judgment and opposition to motion for summary judgment. • 7/3/2025: Defendants filed notice of motion and cross-motion for summary judgment; and opposition to motion for summary adjudication of claims I-IV due to failure of Plaintiffs claims for lack of subject matter jurisdiction. • 7/15/2025: Plaintiffs and Defendants filed stipulation to dismiss claim of violating APA requirements for relief without prejudice. • 7/23/2025: Judge Alsup filed a notice addressing compliance concerns relating to existing preliminary injunction. • 7/24/2025: Plaintiffs filed reply memorandum in support of motion for summary adjudication of Claims I-IV and opposition to Defendants' motion for summary judgment. • 8/6/2025: Judge Alsup granted unopposed request to dismiss Plaintiffs' fifth claim on notice and comment rulemaking regarding email reporting program under APA for relief without prejudice. • 8/8/2025: Plaintiffs filed third amended complaint, removing fifth claim on notice and comment rulemaking regarding email reporting program. 	
Executive Branch Actions: 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. US 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 complaint 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 reporting from <i>The Hill</i>).</p> <p>Filed in: United States District Court for the District of Rhode Island</p> <p>Prior Actions</p>	7/30/2025: The First Circuit ordered the appeal to be voluntarily dismissed upon consideration of appellants' assented-to motion.

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	<ul style="list-style-type: none"> • 4/3/2025: 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.” • 4/7/2025: Defendants filed notice of compliance with TRO and emergency motion for reconsideration and request to vacate the TRO, or in the alternative, for a stay pending appeal. • 4/8/2025: Plaintiffs filed amended complaint and motion for preliminary injunction. • 4/10/2025: Plaintiffs filed opposition to motion to reconsider or stay pending appeal. • 4/17/2025: 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 American Rescue Plan Act of 2021. Judge McElroy extended the 4/3/2025 TRO until the Court’s order on the motion for preliminary injunction following further briefing (see recording of the hearing on YouTube – questioning of the Defendants’ counsel begins 2:21:02). • 4/24/2025: Defendants filed supplemental briefing in support of opposition to plaintiffs’ motion for preliminary injunction. • 4/29/2025: Plaintiff states’ filed supplemental briefing in support of motion for preliminary injunction. • 5/16/2025: Judge McElroy granted a preliminary injunction to block the implementation, enforcement, or reinstitution of the decision that “numerous health programs and appropriations responsible for \$11 billion of critical federal financial assistance were ‘no longer necessary’ because the ‘COVID-19 pandemic is over’” including termination of funds (see reporting from <i>Healthcare Dive</i>). • 5/20/2025: Defendants filed notice of compliance with preliminary injunction order on providing written notice of the order to all employees, contractors, and grantees of HHS. • 7/15/2025: Defendants filed notice of appeal to the US Court of Appeals for the First Circuit from the preliminary injunction. 	
Executive Branch Action: On 5/27/2025, HHS Secretary Kennedy announced that COVID-19 vaccination would no longer be recommended for healthy children and pregnant women via social media. This would impact insurance coverage given plans are informed by ACIP recommendations for determining payment (see contemporaneous reporting from CNN via MSN and coverage from <i>Axios</i>).		
7/7/2025	<p><i>American Academy of Pediatrics, et al. v. Robert F. Kennedy, Jr., et al.</i></p> <p>Plaintiffs in this complaint are seeking declaratory and injunctive relief for acting arbitrarily and capriciously and to enjoin Secretary Kennedy’s rescissions of Covid vaccine recommendations.</p> <p>Filed in: United States District Court for the District of Massachusetts</p>	8/19/2025: Plaintiffs filed opposition to 2 nd amended motion to intervene and Perez filed reply to response to motion to vacate.

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	<p>Prior Actions</p> <ul style="list-style-type: none"> • 7/7/2025: Plaintiffs filed motion for preliminary injunction and declaratory relief and request for expedited consideration and memorandum in support of motion. • 7/9/2025: Plaintiffs filed unopposed motion to withdraw motion for preliminary injunction and declaratory relief and request for expedited consideration. Plaintiffs intend to refile motion. • 7/16/2025: Jose Perez filed motion to intervene and memorandum in support. • 7/23/2025: Plaintiffs filed amended complaint adding to list of challengers, Massachusetts Chapter of the American Academy of Pediatrics and Jane Doe 2. • 7/29/2025: Plaintiffs filed motion for preliminary injunction and memorandum in support. • 7/30/2025: Plaintiffs filed opposition to motion to intervene. • 7/31/2025: Judge William Young denied motion to intervene and set motion hearing for 9/3/2025. • 8/12/2025: Perez filed motion to vacate 7/31/2025 order denying intervention. • 8/14/2025: Plaintiffs filed opposition to motion to vacate 7/31/2025 order. 	
<p>Executive Branch Action: On 1/27/2025, OMB issued Memorandum M-25-13, Temporary Pause of Agency Grant, Loan, Other Financial Assistance Programs 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. M-25-13 was intended to provide guidance to federal agencies to ensure all programs and activities are consistent with President Trump’s policies (see recap 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 complaint 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>Filed in: United States District Court for the District of Columbia</p> <p>Prior Actions</p> <ul style="list-style-type: none"> • 1/28/2025: The court entered a brief administrative stay to permit the parties to fully brief the TRO motion and buy the court time to deliberate. • 1/29/2025: The defendants submitted a notice that OMB rescinded the M-25-13 memorandum. • 2/3/2025: District Judge Loren AliKhan issued a TRO 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. 	<p>6/10/2025: Plaintiffs filed notice that they do not intend to submit request for additional discovery and should Defendants seek to rely at summary judgment on evidence not put forward, Plaintiffs may seek leave for discovery.</p>

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	<ul style="list-style-type: none"> • 2/11/2025: The plaintiffs filed a motion for preliminary injunction to block another precipitous blanket freeze that will be difficult to unwind given the slow process by which funds have become unfrozen. • 2/12/2025: Amicus brief filed by American Center for Law and Justice in support of the defendants. • 2/15/2025: Defendants filed a memorandum in opposition to plaintiffs' motion for preliminary injunction. • 2/18/2025: Plaintiffs filed a reply in support of motion for preliminary injunction. • 2/20/2025: 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. • 2/25/2025: Judge AliKhan granted the motion for a preliminary injunction, enjoining the Trump Administration "from implementing, giving effect to, or reinstating under a different name" the freeze on federal funds (see contemporaneous <i>CBS News</i> reporting). • 3/4/2025: Plaintiffs filed motion to clarify scope of preliminary injunction given defendants' interpretation that "all open awards" mean partially disbursed open awards and requested the Court to clarify that "all open awards" mean all awards that have been awarded. • 3/7/2025: Defendants filed opposition to motion to clarify scope of preliminary injunction as plaintiffs are improperly seeking to alter an unambiguous order and the TRO refers "open awards" to awards that have been approved and partially disbursed. • 3/10/2025: Plaintiffs filed on 3/10/2025 reply in support of motion to clarify scope of preliminary injunction to confirm that the injunction applies to awarded federal funds regardless of the start of disbursement. • 3/14/2025: Judge AliKhan denied the motion to clarify the scope given plaintiffs' failure to object to defendants' interpretation of "open awards" earlier despite opportunities to dispute. • 4/24/2025: Defendants filed notice of decision to appeal to the US Court of Appeals for the District Columbia Circuit from the preliminary injunction. • 5/12/2025: Judge AliKhan ordered that the matter is otherwise stayed pending appeal of the preliminary injunction and that the parties file a joint status report within 3 days of the DC Circuit's resolution of the appeal proposing next steps. 	
1/28/2025	<i>New York, et al v. Donald J. Trump, et al.</i>	5/12/2025: The First Circuit ordered that the appeal be dismissed .

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	<p>Plaintiffs (22 states’ attorneys general) in this complaint 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>Filed in: United States District Court for the District of Rhode Island</p> <p>Prior Actions</p> <ul style="list-style-type: none"> • 1/31/2025: District Judge John McConnell issued an indefinite TRO. • 2/6/2025: During a virtual court hearing, Judge McConnell noted that state agencies had a “rightful concern” that states were still unable to fully access money. • 2/7/2025: Plaintiff states’ filed a motion for enforcement of the TRO that details the ways the defendants are in violation of the TRO. • 2/10/2025: Judge McConnell ordered that the defendants must immediately comply with the existing TRO. • 2/14/2025: The United States Court of Appeals for the First Circuit issued a voluntary dismissal of defendants’ motion to appeal the decision. • 2/21/2025: During a hearing on the motion for preliminary injunction, Judge McConnell reiterated that the TRO is still in full force and effect and that the Court takes the motion for preliminary injunction under advisement. • 2/28/2025: Plaintiffs filed second motion for enforcement of the 1/31/2025 TRO or any preliminary injunction and requested that the court order defendant to provide information on compliance given plaintiffs’ continued experience with obstacles to access funds. • 3/6/2025: Judge McConnell granted the motion for a preliminary injunction and ordered that the Administration is prohibited from “reissuing, adopting, implementing, giving effect to, or reinstating under a different name” the M-25-13 memorandum (see contemporaneous reporting from NPR). • 3/10/2025: Defendants filed notice of appeal for the First Circuit from the preliminary injunction. • 3/14/2025: Defendants filed status report regarding the Federal Emergency Management Agency (FEMA) compliance with preliminary injunction. • 3/24/2025: Plaintiffs filed renewed second motion to enforce the Court’s orders on freeze of FEMA funds as plaintiff states continue to experience obstacles accessing funds. • 3/27/2025: First Circuit denied the motion for a stay pending appeal of the preliminary injunction (see contemporaneous reporting from <i>Reuters</i>) and defendants filed opposition to renewed second motion to enforce on FEMA funding. • 4/4/2025: Judge McConnell granted motion for enforcement of preliminary injunction and determined that FEMA’s manual review process described in acting FEMA Administrator Cameron 	
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	<p>Hamilton’s memorandum to Homeland Security Secretary Kristi Noem violates the preliminary injunction order and ordered immediate cease of the challenged manual review process.</p> <ul style="list-style-type: none"> • 4/6/2025: Defendants filed notice of compliance related to FEMA and opposition to motion to enforce the preliminary injunction or, alternatively, stay it pending appeal contending the Supreme Court’s opinion in <i>Department of Education v. California</i> that shows the Court lacks jurisdiction over Plaintiff states’ claims against FEMA. • 4/7/2025: Defendants filed reply memorandum in support of emergency motion for reconsideration or for a stay pending appeal of order enforcing preliminary injunction as to FEMA funding and Judge McConnell temporarily stayed its enforcement of the preliminary injunction as to FEMA funding until the Court can adequately address the motion for reconsideration in light of the Supreme Court order. • 4/14/2025: Judge McConnell denied the defendants’ motion for reconsideration of the Court’s Enforcement Order and denied the defendants’ alternative request for a stay pending appeal of the order because that order is not appealable. • 4/28/2025: Defendants filed notice of decision to appeal to the US Court of Appeals for the First Circuit from the enforcement of the preliminary injunction as to FEMA funding. 	
<p>Executive Branch Action: The Establishing And Implementing The President's "Department Of Government Efficiency" 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 American Public Health Association (APHA), et al. v. Office of Management and Budget, et al. and Lentini, et al. v. Department of Government Efficiency, et al.)</p> <p>Plaintiffs in this complaint 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>Filed in: United States District Court for the District of Columbia.</p> <p>Prior Actions</p> <ul style="list-style-type: none"> • 1/20/2025: Complaint challenging the legality of DOGE. 	<p>8/22/2025: Defendants filed response to Plaintiffs’ notice of supplemental authority on <i>Does v Musk</i> that the relevance to the case is elusive.</p>

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	<ul style="list-style-type: none"> • 2/18/2025: District Judge Jia Cobb <u>granted</u> defendants' motion to consolidate this case with <i>American Public Health Association v. Office of Management and Budget</i> and <i>Lentini v. Department of Government Efficiency</i>. • 3/3/2025: Plaintiffs in <i>Public Citizen Litigation Group v. Donald J. Trump</i> filed a voluntary <u>notice of dismissal</u>. • 3/5/2025: Plaintiffs in <i>American Public Health Association v. Office of Management and Budget</i> and <i>Lentini v. Department of Government Efficiency</i> filed <u>motion to expedite briefing</u> and adjudication of their motion for expedited discovery noting it is urgently needed for a preliminary injunction motion that is forthcoming. Defendants filed <u>opposition to motion</u> to expedite briefing due to plaintiffs not establishing urgency. • 3/6/2025: 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. • 3/13/2025: Joint motion filed for <u>briefing schedule</u>: 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. • 3/19/2025: Defendants filed <u>opposition to motion</u> for expedited discovery seeking expedited extraordinary relief given it is not the norm and plaintiffs filed <u>reply to opposition to motion</u> highlighting the thrust of the motion is to answer, what is DOGE? • 3/25/2025: Judge Cobb <u>denied</u> <i>Lentini</i> plaintiffs' motion for expedited discovery because the showing required was not made. • 4/11/2025: Defendants filed <u>motion to dismiss</u> for lack of jurisdiction and for failure to state a claim upon which relief may be granted. • 5/13/2025: Following a <u>notice of voluntary dismissal</u> by Plaintiffs of the <i>APHA</i> case on 5/12/2025 and Plaintiffs of the <i>Lentini</i> case filed an <u>extension of time to file</u> replies to the motion to dismiss by the Defendants, Judge Cobb ordered the Plaintiffs to file their opposition by 5/20/2025 and Defendants to file their reply by 6/4/2025. • 5/21/2025: Plaintiffs of <i>Lentini</i> filed <u>emergency motion to temporarily stay</u> briefing of Defendants' motion to dismiss pending the Supreme Court's resolution of the motion to stay the orders in <i>Citizens for Responsibility and Ethics in Washington v. US DOGE Service</i>. • 5/27/2025: Judge Cobb determined there is no emergency for the emergency motion to stay the case and ordered the Defendants to file a response by 6/4/2025. • 6/3/2025: Judge Cobb denied motion to stay briefing on motion to dismiss pending Supreme Court's resolution of pending motion on <i>Citizens for Responsibility and Ethics in Washington v. US DOGE Service</i> and granted motion for extension of time. • 6/11/2025: Defendants filed <u>reply in support</u> of motion to dismiss. 	

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	<ul style="list-style-type: none"> • 8/13/2025: Plaintiffs filed notice of supplemental authority on <i>Does v Musk</i> in which the judge found twice that the plaintiffs had sufficiently alleged that Elon Musk was in charge of the Department of Government Efficiency. 	
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 complaint 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> reporting).</p> <p>Filed in: United States District Court for the District of Columbia</p> <p>Prior Actions</p> <ul style="list-style-type: none"> • 2/6/2025: The Department of Justice (DOJ) agreed to a court order limiting the number of DOGE employees with access to the payment systems and to “read only” access (see contemporaneous coverage from <i>The Hill</i>). • 2/12/2025: Defendants filed opposition to motion for preliminary injunction and requested court 2/6/2025 order be dissolved. • 2/20/2025: District Judge Colleen Kollar-Kotelly granted defendants’ unopposed motion to modify the 2/6/2025 order deferring ruling on the motion for a temporary restraining order (TRO). • 2/25/2025: Following a hearing on the motion for a preliminary injunction the previous day, the court ordered the defendants to file the administrative record underlying the decisions challenged in the case by 3/11/2025. • 2/26/2025: Joint status report submitted describing defendants’ plan to file a motion to dismiss or for summary judgment and plaintiffs’ plan to file opposition to aforementioned defendants’ motion. • 3/7/2025: Judge Kollar-Kotelly denied plaintiffs’ motion for a preliminary injunction and dissolved the 2/20/2025 interim order noting 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. 	<p>5/23/2025: Plaintiffs filed reply in support of cross-motion for summary judgment.</p>

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	<ul style="list-style-type: none"> • 3/17/2025: Plaintiffs filed motion for expedited discovery due to the gaps and inconsistencies in the administrative record and additional information defendants compiled that would impede meaningful judicial review. • 3/19/2025: Defendants filed opposition to motion for expedited discovery due to failure to show exceptions to the rule of record review in APA cases and plaintiffs filed reply to opposition to motion for discovery as defendants' record lacks explanation about the implementation of the DOGE EO. • 3/20/2025: Judge Kollar-Kotelly granted in part and denied in part the motion for expedited discovery directing plaintiffs to promptly serve an amended version of discovery requests and extended the briefing schedule. • 4/11/2025: Defendants filed motion to dismiss or for a summary judgment in favor of defendants. • 4/25/2025: Plaintiffs filed cross-motion for summary judgment and opposition to defendants' motion to dismiss or in the alternative for summary judgment. • 5/9/2025: Defendants filed combined reply in support of motion to dismiss or, in the alternative, for summary judgment, and opposition to Plaintiffs' cross-motion for summary judgment. 	
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 lawsuit 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 coverage from MSN).</p> <p>Filed in: United States District Court for the Southern District of New York</p> <p>Prior Actions</p> <ul style="list-style-type: none"> • 2/8/2025: District Judge Paul Engelmayer issued a TRO, writing that the court believed the plaintiffs would face "irreparable harm in the absence of injunctive relief (see contemporaneous coverage from <i>ABC News</i>). • 2/14/2025: Preliminary injunction hearing held before District Judge Jeannette Vargas. • 2/21/2025: Judge Vargas issued a preliminary injunction to block members of DOGE from accessing the Treasury's payment and data systems containing personally identifiable information and/or confidential financial information of payees and continued the TRO already in place. 	<p>7/28/2025: Defendants filed notice of appeal to the US Court of Appeals for the Second Circuit from the preliminary injunction order entered 2/21/2025, modified preliminary injunction entered 4/11/2025, and denied dissolution of preliminary injunction and modifying the preliminary injunction entered 5/27/2025.</p>

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	<ul style="list-style-type: none"> • 3/3/2025: Defendants sent a letter 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. • 3/4/2025: Plaintiffs sent a letter 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. • 3/5/2025: Defendants submitted report in support of motion to partially dissolve the preliminary injunction and outlining compliance to preliminary injunction requirements. • 3/7/2025: Plaintiffs submit memorandum of law 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 modified the preliminary injunction to exclude PPS software from access restrictions. • 3/10/2025: Judge Vargas ordered 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 motion to partially dissolve 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. • 3/14/2025: Defendants filed memorandum of law in opposition to 3/7/2025 motion for reconsideration of zone-of-interests ruling and plaintiffs filed memorandum of law in opposition to 3/10/2025 motion to partially dissolve the preliminary injunction. • 3/17/2025: Plaintiffs filed reply memorandum of law in support of motion for reconsideration and defendants filed reply memorandum of law in support of motion to partially dissolve preliminary injunction. • 3/21/2025: Plaintiffs filed sur-reply addressing declarations in reply to support motion to partially dissolve. • 4/3/2025: Plaintiffs provided supplemental authority on recent controlling authority from the U.S. Supreme Court on its decision in <i>Food and Drug Administration v. Wages and White Lion 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. • 4/11/2025: Judge Vargas granted defendants’ motion to partially dissolve the preliminary injunction and denied plaintiffs’ motion for reconsideration. 	

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	<ul style="list-style-type: none"> • 5/1/2025: Defendants filed motion to vacate the preliminary injunction and memorandum of law in support of motion. • 5/16/2025: After Plaintiffs filed memorandum of law in partial opposition to motion to dissolve the preliminary injunction on 5/14/2025, Defendants sent a letter to Judge Vargas asking to modify, with immediate effect, the preliminary injunction to lift restrictions as to Treasury DOGE members Thomas Krause, Linda Whitridge, Todd Newnam, and Samuel Corcos because there is no live dispute as to whether they would be subject to the order’s restrictions. • 5/21/2025: Defendants filed reply memorandum of law in further support of motion to dissolve the preliminary injunction. • 5/23/2025: Plaintiffs filed amended complaint. • 5/27/2025: Judge Vargas denied the motion to dissolve the preliminary injunction and modified the order given the Court’s determination that Krause, Whitridge, Corcos, and Newnam have satisfied the conditions to be carved out of the definition of Restricted Personnel and permitted access to Treasury Payment Systems on the same terms as Wunderly. • 6/27/2025: Judge Vargas granted motion for extension to file dispositive motion regarding Plaintiffs’ amended complaint. • 7/24/2025: Defendants filed memorandum of law in support of motion to dismiss first amended complaint. 	
Related Lawsuits and Other Court Actions that AGS is not Tracking		
	<p>Executive Branch Actions: On 3/31/2025, the Departments of Education (ED), HHS, and US General Services Administration (GSA) announced a comprehensive review of \$9 billion in federal contracts with Harvard University to ensure compliance with civil rights laws. On April 3rd and April 11th, 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 letter 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 announced the funding freeze (see contemporaneous reporting 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 complaint 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>You can see status updates for these lawsuits at: Just Security’s Litigation Tracker</p>

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	<p>Filed in: United States District Court for the District of Massachusetts</p>	
	<p>Executive Branch Actions: On 3/11/2025, the Department of Education (DOE) announced in a press release its reduction in force (RIF) plan that would place nearly 50% of the 4,133 staff on administrative leave (see contemporaneous reporting from CNN). On 3/20/2024, Improving Education Outcomes by Empowering Parents, States, and Communities (Education EO) ordered closing the DOE and returning authority to states. On 3/21/2025, the President announced 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 complaint 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 reporting from <i>Newsweek</i>).</p> <p>Filed in: United States District Court for the District of Massachusetts</p> <ul style="list-style-type: none"> • 3/24/2025: Plaintiffs filed motion for preliminary injunction 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. <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 complaint 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 reporting from <i>The Hill</i>).</p> <p>Filed in: United States District Court for the District of Maryland</p>	

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	<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 complaint 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 release from Democracy Forward).</p> <p>Filed in: United States District Court for the District of Massachusetts</p>	
	<p><u>Executive Branch Action:</u> 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> <p>Plaintiffs filed a complaint 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 reporting by <i>NBC News</i>).</p> <p>Filed in: U.S. District Court for the District of Massachusetts</p>	
	<p><u>Executive Branch Action:</u> 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 complaint 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>Filed in: U.S. District Court for the District of Maryland</p>	

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	<ul style="list-style-type: none"> • 3/13/2025: District Judge James Bredar issued a TRO 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 determining that there was no cause for termination and non-compliance with RIFs statutory requirements (see contemporaneous reporting from <i>Politico</i>). • 3/14/2025: Defendants filed notice of decision to appeal to the U.S. Court of Appeals for the Fourth Circuit from the TRO. 	
	<p>Executive Branch Action: The Department of Education Office for Civil Rights (OCR) sent a Dear Colleague Letter 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"> • 2/25/2025: The American Federation of Teachers, the American Sociological Association, and the American Federation of Teachers-Maryland filed a complaint 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 freedom of speech and association, the Fifth Amendment’s Due Process guarantees, and the APA (see coverage from <i>The Hill</i> and release from Democracy Forward). 	
	<p>Executive Branch Action: Department of State Notice of Suspension of refugee resettlement programs in response to the Foreign Aid EO, Ending Radical and Wasteful Government DEI Programs and Preferencing EO, and Initial Recissions of Harmful Executive Orders and Actions EO.</p> <ul style="list-style-type: none"> • 2/18/2025: The United States Conference of Catholic Bishops, part of a partnership with the federal government for the U.S. Refugee Admissions Program, filed a complaint in the United States District Court for the District of Columbia for declaratory and injunctive relief to block the suspension (see contemporaneous article from MSNBC). 	
	<p>Executive Branch Action: The Protecting Children from Chemical and Surgical Mutilation EO (Denial of Care EO).</p> <ul style="list-style-type: none"> • 2/7/2025: Attorneys general of Washington state, Minnesota, and Oregon, joined by three physicians, filed a complaint 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. 	

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	<p><u>Executive Branch Action:</u> On January 28, the Office of Personnel Management (OPM) issued a “Fork in the Road” directive offering federal employees a deferred resignation program 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 complaint 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>Filed in: United States District Court for the District of Massachusetts</p> <p>Prior Actions</p> <ul style="list-style-type: none"> • 2/5/2025: Plaintiffs requested a TRO. • 2/6/2025: District Judge George O’Toole issued an order to pause the program and extend the deadline until February 10. • 2/10/2025: Judge O’Toole ordered that the pause on the February 6 deadline be further extended until order of the court as outlined in defendants’ Notice of Compliance (see contemporaneous reporting from NPR). • 2/12/2025: Judge O’Toole dissolved 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 reporting from <i>Government Executive</i>). 	<p>The 2/12/2025 order to dissolve the TRO and denial for further injunctive relief could be appealed by plaintiffs.</p>