

APPENDIX

Court of appeals order denying writ of mandamus and dismissing motion for stay (D.C. Cir. May 14, 2025)	1a
Court of appeals order granting administrative stay (D.C. Cir. Apr. 18, 2025)	4a
District court opinion and order granting discovery (D.D.C. Apr. 15, 2025).....	5a
Respondent's discovery requests (Mar. 27, 2025).....	18a
District court discovery scheduling order (May 20, 2025)	32a

United States Court of Appeals
FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 25-5130**September Term, 2024****1:25-cv-00511-CRC****Filed On:** May 14, 2025

In re: U.S. DOGE Service, et al.,

Petitioners

BEFORE: Henderson, Wilkins, and Childs, Circuit Judges

ORDER

Upon consideration of the petition for a writ of mandamus, the opposition thereto, and the reply; and the motion for stay, the opposition thereto, and the reply, it is

ORDERED, on the court's own motion, that the administrative stay entered on April 18, 2025, be dissolved. For the reasons stated in the memorandum accompanying this order, it is

FURTHER ORDERED that the petition be denied. It is

FURTHER ORDERED that the stay motion be dismissed as moot.

Pursuant to D.C. Circuit Rule 36, this disposition will not be published.

Per Curiam

FOR THE COURT:

Clifton B. Cislak, Clerk

BY: /s/

Selena R. Gancasz
Deputy Clerk

MEMORANDUM

The government petitions for a writ of mandamus to halt the district court's order for limited discovery into whether the United States DOGE Service (USDS) constitutes an "agency" within the meaning of the Freedom of Information Act (FOIA). The Citizens for Responsibility and Ethics in Washington (CREW) initiated the underlying litigation seeking disclosure of records reflecting USDS's organizational role, authorities, and operational reach. The government contends that the district court's order permitting narrow discovery impermissibly intrudes upon the President's constitutional prerogatives.

Mandamus is an extraordinary remedy, appropriate only when the petitioner can show that (1) it has no other adequate means to attain the relief it desires, (2) its right to the writ is clear and indisputable, and (3) issuance of the writ is appropriate under the circumstances. *See Cheney v. U.S. Dist. Ct.*, 542 U.S. 367, 380-81 (2004) (citations omitted). In the FOIA context, whether an entity is an "agency" turns on a functional analysis: whether it "exercises substantial independent authority" or instead exists solely "to advise and assist the President." *CREW v. Office of Admin.*, 566 F.3d 219, 224 (D.C. Cir. 2009) (quoting *Armstrong v. Exec. Off. of the President*, 90 F.3d 553, 558 (D.C. Cir. 1996)); *Soucie v. David*, 448 F.2d 1067, 1073-75 (D.C. Cir. 1971). That inquiry, by its nature, depends on the practical realities of the entity's role, not merely on its formal placement or authority within the Executive Office of the President.

As an initial matter, the government forfeited its primary objection to the district court's order under *Cheney* by failing to raise that argument below. At no point during the summary judgment briefing, or in opposing CREW's discovery motion, did the government argue that the requested discovery posed a separation-of-powers issue or risked intruding into the core functions of the presidency. The government never discussed *Cheney* in its motion for summary judgment and, in its opposition to the discovery order, it merely cited *Cheney* for the proposition that courts should accord respect to the "office of the Chief Executive" and that any discovery "should be fashioned to be as unobtrusive as possible." Gov't Opp'n to Mot. for Discovery at 8 (D.D.C. Apr. 8, 2025), ECF No. 34. It did not request protective narrowing of discovery on constitutional grounds. Its opposition to discovery rested instead on assertions of burden and relevance.

On the merits, the government has also not shown that it has no other adequate means of relief. The government rests most of its argument on *Cheney*'s holding that line-by-line assertions of executive privilege were not an adequate alternative means of relief in that case. But *Cheney* is distinguishable in numerous respects. Even in the circumstances of *Cheney*, the Supreme Court declined to issue a writ because it was "not a case where, after having considered the issues, [this court] abused its discretion by failing to" do so. 542 U.S. at 391. More importantly, unlike in *Cheney*, where the Vice President himself was subject to a wide-ranging third-party subpoena and the asserted intrusion implicated the mental processes of the President's advisers, *see id.* at 381-82, the discovery here is modest in scope and does not target the President or any close adviser personally. The government retains every conventional tool to raise privilege objections on the limited question-by-question basis foreseen here on a narrow and discrete ground. Although the government protests that any such assertion of privilege would be burdensome, the only identified burdens are limited both by time and reach, covering as they do records within USDS's control generated since January 20. It does not provide any specific details as to why accessing its own records or submitting to two depositions would pose an unbearable burden. That is a far cry from the sweeping discovery at issue in *Cheney*. *See id.* at 387 (describing the discovery requests as asking "for everything under the sky"). Moreover, unlike *Cheney*, the information sought here

does not provide CREW “all the disclosure to which [it] would be entitled” if it prevails on the merits. *Id.* at 388.

Nor has the government asserted a clear and indisputable right. Petitioner can carry that burden if the challenged order constitutes a “clear abuse of discretion.” *Id.* at 380 (quoting *Bankers Life & Cas. Co. v. Holland*, 346 U.S. 379, 383 (1953)). Petitioner must “point to ‘cases in which a federal court has held that’ relief is warranted ‘in a matter involving like issues and comparable circumstances.’” *In re Al Baluchi*, 952 F.3d 363, 369 (D.C. Cir. 2020) (quoting *Doe v. Exxon Mobil Corp.*, 473 F.3d 345, 355 (D.C. Cir. 2007)). “Accordingly, we will deny mandamus even if a petitioner’s argument, though ‘pack[ing] substantial force,’ is not clearly mandated by statutory authority or case law.” *Id.* (quoting *In re Khadr*, 823 F.3d 92, 99-100 (D.C. Cir. 2016)). Open legal questions do not present a clear and indisputable right to mandamus relief. *See In re Al-Nashiri*, 791 F.3d 71, 85-86 (D.C. Cir. 2015). We have previously endorsed limited discovery to determine agency status under FOIA. *See Armstrong*, 90 F.3d at 560-61; *CREW*, 566 F.3d at 224-26. And that limited discovery can be used to follow up on factual questions put at issue by the government’s declarations. *See In re Cheney*, 544 F.3d 311, 312 (D.C. Cir. 2008) (under the Presidential Records Act). Even the government concedes, as it must, that such discovery is sometimes appropriate. Pet. 22-23.

In light of the government’s failure to make a persuasive showing on either of the first two elements of the analysis, there is also no reason, in considering the totality of the circumstances, to issue the writ. *See Cheney*, 542 U.S. at 381.

Accordingly, the petition for a writ of mandamus is denied.

United States Court of Appeals
FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 25-5130

September Term, 2024

1:25-cv-00511-CRC

Filed On: April 18, 2025

In re: U.S. DOGE Service, et al.,

Petitioners

BEFORE: Pillard, Katsas, and Rao, Circuit Judges

ORDER

Upon consideration of the petition for writ of mandamus and the emergency motion for a stay, which includes a request for an immediate administrative stay, it is

ORDERED that the district court's April 15, 2025, order granting in part the motion for expedited discovery be administratively stayed pending further order of the court. The purpose of this administrative stay is to allow the court time to receive full briefing on the mandamus petition and to render a decision on the petition and stay motion. The administrative stay should not be construed in any way as a ruling on the merits of that petition or motion. See D.C. Circuit Handbook of Practice and Internal Procedures 33 (2024). It is

FURTHER ORDERED that any response to the emergency motion be filed by April 25, 2025. Any reply is due April 30, 2025. It is

FURTHER ORDERED, on the court's own motion, that Citizens for Responsibility and Ethics in Washington enter an appearance and file a response to the mandamus petition, not to exceed 7,800 words, by April 25, 2025. See Fed. R. App. P. 21(d); D.C. Cir. R. 21(a). Petitioners may file a reply, not to exceed 3,900 words, by April 30, 2025.

Per Curiam

FOR THE COURT:

Clifton B. Cislak, Clerk

BY: /s/

Scott H. Atchue
Deputy Clerk

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

**CITIZENS FOR RESPONSIBILITY AND
ETHICS IN WASHINGTON,**

Plaintiff,

v.

U.S. DOGE SERVICE, et al.,

Defendants.

Case No. 25-cv-511 (CRC)

OPINION AND ORDER

This case concerns three Freedom of Information Act (“FOIA”) requests lodged by Citizens for Responsibility and Ethics in Washington (“CREW”) seeking information about the recently formed United States DOGE Service (“USDS”). CREW filed two requests with the Office of Management and Budget (“OMB”) and the third with USDS itself. While OMB has agreed to take up CREW’s requests on an expedited basis, USDS initially declined to process CREW’s request at all on the ground that it is not an agency subject to FOIA. The Court disagreed, holding that USDS is likely an agency subject to FOIA and entering a preliminary injunction requiring expedited processing of CREW’s request.

USDS then moved for summary judgment, reiterating its position that USDS is not an agency subject to FOIA. In response, CREW filed a motion for expedited discovery under Federal Rule of Civil Procedure 56(d), seeking information relevant to whether USDS wields substantial authority independent of the President and is therefore subject to FOIA. USDS opposed CREW’s motion, contending that CREW is not entitled to discovery at all and that, even if some limited discovery is appropriate, CREW’s requests stretch too broadly.

For the reasons that follow, the Court holds that CREW is entitled to limited discovery. The Court will, however, limit CREW's requests to some extent.

I. Background

The Court incorporates the factual and procedural background from its memorandum opinion partially granting CREW's motion for a preliminary injunction and its opinion and order denying USDS's motion for reconsideration of the preliminary injunction ruling. See Citizens for Resp. & Ethics in Washington v. U.S. DOGE Serv. ("CREW I"), No. 25-cv-511 (CRC), 2025 WL 752367, at *1–6 (D.D.C. Mar. 10, 2025); Citizens for Resp. & Ethics in Washington v. U.S. DOGE Serv. ("CREW II"), No. 25-CV-511 (CRC), 2025 WL 863947, at *1–2 (D.D.C. Mar. 19, 2025).

To briefly summarize: USDS, a unit within the Executive Office of the President, has reportedly spearheaded efforts to terminate federal workers, programs, and contracts across the federal government since President Trump took office in January 2025. Seeking to learn more about USDS, CREW filed two FOIA requests with OMB and one with USDS itself. After CREW sought emergency relief, the Court entered a preliminary injunction ordering expedited processing of the USDS Request, though it declined to order processing of any of the requests by a date certain. CREW I, 2025 WL 752367, at *10–16.

The government then filed a motion for partial reconsideration asking the Court to reconsider the portions of its opinion directing USDS to process the USDS request, provide an estimate of responsive documents, and propose a schedule for expedited processing. CREW II, 2025 WL 863947, at *2. As the basis for its motion, the government argued that the Court had erred by concluding that USDS is likely an agency subject to FOIA. Id. at *3. The Court denied the government's motion, but noted that it was "free to file its summary judgment motion

imminently, as it has indicated it will do.” Id. at *2. Once that motion was filed, the Court indicated that it would “entertain a motion from CREW under Rule 56(d) to conduct limited discovery to develop facts relevant to USDS's status as an agency under FOIA.” Id.

USDS filed its summary judgment motion, and CREW subsequently moved for limited expedited discovery under Rule 56(d). For the reasons that follow, the Court will grant CREW’s motion in part.

II. Legal Standards

To determine whether expedited discovery is appropriate, the Court considers the “reasonableness of the request in light of all of the surrounding circumstances.” Guttenberg v. Emery, 26 F. Supp. 3d 88, 98 (D.D.C. 2014) (citation omitted). These include: “(1) whether a preliminary injunction is pending; (2) the breadth of the discovery requests; (3) the purpose for requesting the expedited discovery; (4) the burden on the defendants to comply with the requests; and (5) how far in advance of the typical discovery process the request was made.” Id.

III. Analysis

A. CREW is Entitled to Limited Discovery

USDS seeks summary judgment on the ground that USDS is not an agency subject to FOIA. As the Court explained in its prior opinions, to conclude that “an EOP unit is subject to FOIA,” there must be “a finding that the entity in question ‘wielded substantial authority independently of the President.’” Citizens for Resp. & Ethics in Wash. v. Off. of Admin. (“OA”), 566 F.3d 219, 222 (D.C. Cir. 2009) (citation omitted). That analysis turns on whether an entity within EOP “could exercise substantial independent authority” and whether it “does in fact exercise such authority.” Armstrong v. Exec. Off. of the President, 90 F.3d 553, 560 (D.C. Cir. 1996). If instead the unit’s “sole function is to advise and assist the President,” it is not an

agency. Alexander v. FBI, 456 F. App'x 1, 1–2 (D.C. Cir. 2011) (quoting Kissinger v. Reps. Comm., 445 U.S. 136, 156 (1980)). CREW, in response, seeks expedited discovery on USDS's influence and operations for purposes of determining whether it is exercising the requisite authority subjecting it to FOIA. Mot. for Expedited Discovery at 1.

As the government acknowledges, courts in this district have permitted limited discovery in just these circumstances—to ascertain whether an entity is wielding independent authority sufficient to bring it within FOIA's ambit. For instance, when considering whether FOIA applies to the Office of Administration within EOP, the district court “allowed CREW to conduct limited jurisdictional discovery to explore ‘the authority delegated to [OA] in its charter documents and any functions that OA in fact carries out.’” OA, 566 F.3d at 221 (citation omitted). Similarly, when the government argued that the Office of Homeland Security (“OHS”) was not an agency subject to FOIA, the court ordered limited discovery, reasoning that the plaintiff's request was “necessary and relevant” in the absence of “evidence that is definitive on the issue of OHS's agency status.” EPIC v. Off. of Homeland Sec., No. 02-cv-00620-CKK, ECF No. 11, at 10, 12 (D.D.C. Dec. 26, 2002); see also Armstrong, 90 F.3d at 560 (considering National Security Council staff declaration to determine its agency status); Meyer v. Bush, No. 88-cv-3112-JHG, 1991 WL 212215, at *6 (D.D.C. Sept. 30, 1991), rev'd on other grounds, 981 F.2d 1288 (D.C. Cir. 1993) (relying on letters, memoranda, and the Vice President's public statements in considering FOIA's applicability to Presidential Task Force on Regulatory Relief).

Just recently, Judge Bates partially granted the plaintiffs' motion for expedited discovery seeking “facts that bear on [the] irreparable harm” imposed by USDS employees' access to individual information protected by the Privacy Act of 1974. AFL-CIO, No. 25-cv-339-JDB, ECF No. 48, at 8 (D.D.C. Feb. 27, 2025). The court reasoned that “the structure of USDS and

the scope of its authority” were “unclear on the current record” and “critical to deciding the question of whether USDS is an agency within the meaning of the Economy Act of 1933—and thus whether its employees are permitted by the Privacy Act to view individual information.” Id. Accordingly, limited discovery was appropriate. Id.

So too here. The structure of USDS and the scope of its authority are critical to determining whether the agency is “wield[ing] substantial authority independently of the President.” OA, 566 F.3d at 222. And the answers to those questions are unclear from the record. Resisting this conclusion, the government principally argues that the language of the President’s executive orders indicate that USDS’s function is merely advisory. Opp’n at 4–5. But these executive orders cannot bear the weight the government assigns to them for two reasons.

First, the language of the President’s USDS-related executive orders, far from resolving the question against CREW, in fact suggests that USDS is exercising substantial independent authority. As the Court already noted, the executive order establishing USDS “to implement the President’s DOGE Agenda” appears to give USDS the authority to carry out that agenda, “not just to advise the President in doing so.” CREW I, 2025 WL 752367, at *11. President Trump’s subsequent executive order also “grants the USDS Team Lead the power to keep vacant career positions open unless an agency overrides their decision.” Id. USDS responds that the language highlighted by the Court refers “to the entire DOGE structure (including DOGE Teams at federal agencies).” Id. Perhaps. But contrary to the government’s position, nothing in the record conclusively establishes that USDS representatives embedded within agencies act independently of USDS. In fact, the relevant executive orders suggest the opposite. For instance, agencies are required to “coordinate [the DOGE Teams’] work with USDS.” See Exec. Order No. 14158,

Establishing and Implementing the President’s “Department of Government Efficiency,” 90 Fed. Reg. 8441 (Jan. 29, 2025). And as another court in this district recently observed, “DOGE Team members are also selected in part by USDS, and USDS helps form the contours of their duties.” AFL-CIO, No. 25-cv-339, ECF No. 75, at 3 n.4.

Accordingly, even if other parts of the executive orders could be read to suggest a more advisory role, the implication left by USDS’s charter documents is unclear at best. And that weighs in favor of permitting limited discovery, not against it. See EPIC, No. 02-cv-620-CKK, ECF No. 11, at 12 (ordering discovery because “the language” of the executive order “establishing the [OHS’s] power [was] broad and lacking in firm parameters”).

Second, USDS’s focus on its charter documents ignores evidence in the public record that USDS is exercising substantial authority across vast areas of the federal government. In its prior opinion, the Court referenced news articles reporting that USDS “likely drove the charge to shutter USAID,” “eliminated 104 DEI-related contracts with the federal government,” and otherwise exercised authority to “identify and terminate federal employees, federal programs, and federal contracts.” CREW I, 2025 WL 752367, at *11. The Court emphasized, as well, that these articles characterized USDS as “reportedly [] leading the charge on these actions, not merely advising others to carry them.” Id. And the Court cited other cases finding that USDS “has taken numerous actions without any apparent advanced approval by agency leadership.” Op. Denying Mot. for Recons., ECF No. 23, at 11 (citing Does 1- 26 v. Musk, No. 25-cv-462, 2025 WL 840574, at *3 (D. Md. Mar. 18, 2025)). Because the public record contradicts USDS’s already disputable interpretation of the relevant executive orders, discovery is particularly appropriate here.

The other factors that the Court considers when assessing whether to order expedited discovery point in the same direction. CREW is not currently seeking a preliminary injunction, but it has already obtained emergency relief. That relief will not be fully effectuated until the Court rules on USDS's expedited summary judgment motion, however, since the Court has indicated that it will not order USDS to produce documents until after that ruling. See Guttenberg, 26 F. Supp. 3d at 98. And, especially given modifications to CREW's requests which the Court will next discuss, the burden on the defendants to comply with the requests will not be onerous. Id.¹

B. Specific Requests at Issue

Next, the Court considers whether CREW's discovery request are properly scoped. USDS raises several objections to CREW's requests. The Court will take each in turn.

1. Depositions

CREW seeks to depose three witnesses: a USDS representative designated under Federal Rule of Civil Procedure 30(b)(6), USDS Administrator Amy Gleason, and Steven Davis, who has been reported as leading USDS's daily operations. Mot. for Expedited Discovery at 17, id., Maier Decl. ¶ 30. USDS responds by asking the Court to limit any discovery to written discovery only, or, at most, permit a single Rule 30(b)(6) deposition. Opp'n at 8, 10 ("[I]f the Court concludes that depositions are needed, Defendants do not object to the Court's approval of a single 30(b)(6) deposition.").

¹ As noted in the Court's prior opinion, "USDS also provides no reason why the existing FOIA office at OMB, or those elsewhere within the Executive Office of the President, could not assist with processing the narrow USDS Request." CREW II, 2025 WL 863947, at *8.

“Rule 30(b)(6) requires an organization to identify a person knowledgeable on a noticed topic and to prepare that person to testify as to that topic, thus binding the entity.” Prasad v. George Washington Univ., 325 F.R.D. 1, 6 (D.D.C. 2018). If USDS desires, of course, it may select USDS Administrator Amy Gleason as its Rule 30(b)(6) representative. If USDS does not select Administrator Gleason as its Rule 30(b)(6) representative, however, a deposition of Ms. Gleason is additionally appropriate. USDS first submitted a declaration from Ms. Gleason in support of its motion for reconsideration, which detailed her knowledge of USDS’s structure and operations. Mot. for Recons., Gleason Decl. Moreover, USDS’s motion for summary judgment largely relies on a second declaration from Ms. Gleason on the same topic. Mot. for Summ. J., Attachment 2 (Gleason Decl.). Given that Ms. Gleason’s declaration is the only factual evidence offered in support of USDS’s summary judgment motion, CREW is naturally entitled to question her. That determination is consistent with the Court’s prior observation that parts of Gleason’s declaration appear to be “called into question by contradictory evidence in the record.” Op. Denying Mot. for Recons. at 10 (citing Jud. Watch, Inc. v. U.S. Secret Serv., 726 F.3d 208, 215 (D.C. Cir. 2013)). See AFL-CIO, No. 25-cv-339, ECF No. 48, at 9 (“It would be strange to permit defendants to submit evidence that addresses critical factual issues . . . without permitting plaintiffs to explore those factual issues through very limited discovery”).

On the other hand, the Court will not at this juncture order the deposition of Steven Davis. CREW describes Mr. Davis as “a DOGE employee who has been widely reported to be the day-to-day manager of DOGE’s operations and a close associate of Mr. Musk.” Maier Decl. ¶ 30. But Mr. Davis has not submitted a declaration in support of the government’s motion for summary judgment, and CREW provides no reason why Mr. Davis is uniquely positioned to answer questions that USDS’s Rule 30(b)(6) representative or Ms. Gleason could not.

2. *Record-Keeping Policies*

The government next identifies several topics which “either are irrelevant to resolving USDS’s summary judgment motion or, to the extent they are marginally relevant, would be unduly burdensome.” Opp’n at 12. As to some of these, the Court agrees with USDS.

USDS first objects to CREW’s request for information about the agency’s record-keeping practices. Specifically, USDS objects to CREW’s proposal to depose a 30(b)(6) deponent on “DOGE’s recordkeeping and retention policies and practices,” Document Request 14 seeking “[a]ll documents describing DOGE’s record retention and preservation policies, including those relating to the @DOGE X account,” and Interrogatory 11, which asks USDS to “[i]dentify whether any DOGE employee or DOGE Team member has used or presently uses non-official messaging systems or applications with auto-delete functionality, including but not limited to Signal, to conduct government business.” *Id.* at 13. These requests may be grounded in legitimate concerns about USDS’s compliance with federal record-keeping requirements. But they are largely irrelevant to the issue at hand. That is, they do not bear on the question presented by USDS’s motion for summary judgment, which is whether the agency is wielding substantial independent authority subjecting it to FOIA.

CREW responds that “[q]uestioning on these topics is also necessary to ascertain whether documents that would otherwise have been produced in the course of discovery have been lost or are unretrievable because of DOGE’s lack of document preservation measures.” Reply at 12. The Court disagrees. While the Court certainly expects USDS to comply with its preservation order—which USDS has indicated it will do—discovery on that issue is tangential to the pending summary judgment motion.

3. *Materials from Agency USDS Teams*

Next, the government objects to all requests that “require USDS to collect and provide information about Agency DOGE Teams.” Opp’n at 16. The government argues that such information is irrelevant because “[a]gency DOGE Teams are employees of the agencies to which they are assigned” and are subject to FOIA. *Id.* at 16. Here, the government misses the mark. Whether or not agency USDS detailees are otherwise subject to FOIA, their actions, and particularly the extent to which USDS is directing them, is relevant to assessing USDS’s authority. If Agency DOGE teams are complying with orders from USDS leadership, that speaks to USDS’s influence over other federal agencies.

The government asserts that it “does not have visibility into everything DOGE Team members do at their respective agencies, how they are supervised, what reports they submit within their agencies, how they record their time, and any directives they give within their agencies.” Opp’n at 17. CREW, however, has clarified that its document requests only seek documents “within [USDS]’s custody, control, or possession.” Reply at 14. The same limitation would apply to a Rule 30(b)(6) deposition: the deponent need testify only to matters within USDS’s collective knowledge.

4. *USDS Recommendations*

Next, USDS objects to CREW’s Interrogatories 6 and 8. Interrogatory 6 would ask USDS to “[i]dentify each federal agency contract, grant, lease, or similar instrument that any DOGE employee or DOGE Team member recommended that federal agencies cancel or rescind since January 20, 2025, and whether that recommendation was followed.” Interrogatories, ECF No. 27-1, at 8. Similarly, Interrogatory 8 asks USDS to “[i]dentify each federal agency employee or position that any DOGE employee or DOGE Team member recommended federal

agencies terminate or place on administrative leave since January 20, 2025 and whether that recommendation was followed.” Id.

USDS objects first that these requests “definitionally could not result in information that would aid CREW in its efforts to show that USDS wields substantial authority independent of the President” because recommendations need not always be followed. Opp’n at 18. True, if the recipient of those recommendations viewed them as purely advisory. But that is just the question. The line between a recommendation and directive is a blurry one, and CREW is attempting to determine whether USDS’s “purported ‘recommendations’ are always followed (or almost always followed).” Reply at 15. That question is relevant to the authority USDS exercises over federal agencies. USDS also objects that requests related to its recommendations “seek information that is likely privileged.” Opp’n at 18. But even if true, USDS may assert privilege in its discovery responses “as CREW’s proposed discovery requests explicitly instruct.” Id. at 15.

5. Other Objections

The government also objects to Interrogatory 3, which asks USDS to “[i]dentify each Administrator since January 20, 2025, the dates during which each person held that position, whether they interviewed for that position, with whom they interviewed, and who first informed them that they had been appointed to that position.” Interrogatories at 7. USDS complains that this interrogatory “has no bearing on whether USDS is a FOIA/FRA agency.” Opp’n at 19. The Court agrees. CREW has not shown how the specifics of who served as USDS Administrator or interviewed for the position bears on USDS’s authority.

The government also objects to Interrogatory 9, which asks USDS to “[i]dentify each federal agency database or data management system to which, since January 20, 2025, any

DOGE employee has attempted to gain, has planned to gain, or plans to gain access, and whether access was obtained.” Interrogatories at 8. In response, CREW proposes narrowing the scope of this interrogatory to systems that store classified or sensitive information. Reply at 17. As narrowed, the Court concludes that CREW’s discovery request is appropriate. USDS’s employee access to sensitive systems is an indicator of its authority, especially if such access was obtained over the objection of agency officials, as has been reported. CREW I, 2025 WL 752367, at *12. Nor should this request present a burden for USDS, since it has been ordered to disclose similar information in the aforementioned case before Judge Bates.

USDS also complains that it does not “collect information at a more granular level about the specific agency systems to which particular detailees/dual employees have access.” Opp’n at 20. But as already noted, to the extent USDS does not have this information in its custody, control, or possession—or within its collective knowledge for purposes of the Rule 30(b)(6) deposition—it need not conduct further investigation within other agencies. See Reply at 14.

USDS next objects to Document Request 2, which seeks “visitor access requests” concerning “any DOGE employee detailed to, otherwise working at, or accessing the offices of, federal agencies.” Interrogatories at 8, 12. The Court agrees that this request seeks irrelevant information. It is not disputed that USDS employees have access to the offices of federal agencies. The question is whether USDS employees are using that access to influence those agencies, which is targeted by CREW’s other requests.

Lastly, USDS notes that Interrogatory 12 and Document Request 13 “address communications through the @DOGE X account” which is “not owned by USDS.” Opp’n at 20. Although the Court is somewhat baffled by this, USDS has nonetheless agreed to “make a reasonable effort to provide information responsive to this Interrogatory and Request to the

extent that such information is within its possession, custody, and control.” Id. The Court therefore need not linger over this request.

IV. Conclusion

For the reasons explained above, it is hereby

ORDERED that [27] plaintiffs’ motion for expedited discovery is GRANTED in part, subject to the alterations the Court has explained in this Order; and it is further

ORDERED that Defendants:

Serve responses and objections to Plaintiff’s Discovery Requests within 7 days of the date of this order;

Produce all responsive documents within 14 days of the date of this order; and it is further

ORDERED that all depositions be completed within 10 days from the deadline for producing documents.

CHRISTOPHER R. COOPER
United States District Judge

Date: April 15, 2025

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

CITIZENS FOR RESPONSIBILITY AND
ETHICS IN WASHINGTON,

Plaintiff,

v.

U.S. DOGE SERVICE, *et al.*,

Defendants.

Civil Action No. 1:25-cv-511

PLAINTIFF'S [PROPOSED] FIRST DISCOVERY REQUESTS

Pursuant to Federal Rule of Civil Procedure 26, 33, 34, and 36, and Local Civil Rule 26.2, Defendants U.S. DOGE Service and the Administrator of the U.S. DOGE Service are requested to answer and respond to the following interrogatories, requests for admission, and requests for production (collectively, the “Discovery Requests”) propounded by undersigned counsel for Plaintiff Citizens of Responsibility and Ethics in Washington (“CREW”) separately and fully, in writing, under oath, to the best of your ability from knowledge you are able to obtain from any and all sources available to you, your agents, or your attorneys, and respond to these discovery requests as follows:

- Serve written responses and any objections to these Discovery Requests within 7 days of the Court’s order granting discovery;
- Produce all responsive documents to Plaintiffs’ request for production within 14 days of the Court’s order granting discovery; and
- Complete all depositions within 10 days from the deadline for producing documents.

INSTRUCTIONS

1. These instructions and definitions apply to each of the Discovery Requests and should be construed to require answers based upon the knowledge of, and information available to, the responding party as well as its agents, representatives, and, unless privileged, attorneys.
2. It is intended that the following Discovery Requests will not solicit any information protected either by the attorney/client privilege or work product doctrine which was created or developed by counsel for the responding party after the date on which this litigation was commenced.
3. These Discovery Requests are continuing in character, so as to require that supplemental answers be filed if further or different information is obtained with respect to any request, and documents and tangible things sought by these requests that you obtain or discover after you serve your answers must be produced to counsel for Plaintiff by supplementary answers or productions.
4. No part of a Discovery Request should be left unanswered merely because an objection is interposed to another part of the request. If a partial or incomplete answer is provided, the responding party shall state that the answer is partial or incomplete.
5. With respect to document requests, requests extend to all documents in your possession, custody or control, or of anyone acting on your behalf. A document is in your possession, custody or control if it is in your physical custody or if it is in the physical custody of any other person and you:
 - a. own such document in whole or in part;
 - b. have a right, by contract, statute or otherwise, to use, inspect, examine, or copy such document on any terms;
 - c. have an understanding, express or implied, that you may use, inspect, examine or copy such document on any terms; or
 - d. have, as a practical matter, been able to use, inspect, examine, or copy such document when you sought to do so.
6. The documents produced in response to these requests shall be (i) organized and designated to correspond to the categories in these requests, or (ii) produced as they are maintained in the normal course of business.
7. If a document called for by these requests has been destroyed, lost, discarded, or otherwise disposed of, identify such document as completely as possible including, without limitation, the following information: author(s), recipient(s), sender(s), subject matter, date prepared or received, date of disposal, manner of disposal, reason for disposal, person(s) authorizing the disposal, person(s) having knowledge of the disposal and person(s) disposing of the document.

8. In the event that more than one copy of a document exists, produce every copy on which there appears any notation or marking of any sort not appearing on any other copy, or any copy containing attachments different from any other copy.
9. Produce all documents in their entirety, without abbreviation or redaction, including both front and back thereof and all attachments or other matters affixed thereto.
10. Pursuant to Rule 33(b)(2)(B), Rule 34(b)(2)(B), and Rule 36(a)(5), if you object to a request, the grounds for each objection must be stated with specificity. Also pursuant to Rule 33 and Rule 34, if you intended to produce copies of documents or of ESI instead of permitting inspection, you must so state.
11. Pursuant to Rule 33(b)(2)(B), Rule 34(b)(2)(C), and Rule 36(a)(5) an objection must state whether any responsive information or materials are being withheld on the basis of that objection.
12. Whenever in these requests you are asked to identify or produce a document which is deemed by you to be properly withheld from production for inspection or copying:
 - a. If you are withholding the document under claim of privilege (including, but not limited to, the work product doctrine), please provide the information set forth in Fed. R. Civ. P. 26(b)(5). For electronically stored information, a privilege log (in searchable and sortable form, such as a spreadsheet, matrix, or table) generated by litigation review software, containing metadata fields that generally correspond to the above paragraph is permissible, provided that it also discloses whether transmitting, attached or subsidiary (“parent-child”) documents exist and whether those documents have been produced or withheld.
 - b. If you are withholding the document for any reason other than an objection that it is beyond the scope of discovery, identify as to each document and, in addition to the information requested in paragraph 4.A, above, please state the reason for withholding the document. If you are withholding production on the basis that ESI is not reasonably accessible because of undue burden or cost.
13. When a document contains both privileged and non-privileged material, the non-privileged material must be disclosed to the fullest extent possible without thereby disclosing the privileged material. If a privilege is asserted with regard to part of the material contained in a document, the party claiming the privilege must clearly indicate the portions as to which the privilege is claimed. When a document has been redacted or altered in any fashion, identify as to each document the reason for the redaction or alteration, the date of the redaction or alteration, and the person performing the redaction or alteration. Any redaction must be clearly visible on the redacted document.
14. In accordance with Fed. R. Civ. P. 26(b)(5), where a claim of privilege is asserted in objecting to any interrogatory or request for admission or part thereof, and information is not provided on the basis of such assertion:

- a. In asserting the privilege, the responding party shall, in the objection to the interrogatory or request for admission, or part thereof, identify with specificity the nature of the privilege (including work product) that is being claimed.
 - b. The following information should be provided in the objection, if known or reasonably available, unless divulging such information would cause disclosure of the allegedly privileged information:
 - i. For oral communications:
 1. the name of the person making the communication and the names of persons present while the communication was made, and, where not apparent, the relationship of the persons present to the person making the communication;
 2. the date and place of the communication; and
 3. the general subject matter of the communication.
 - ii. For documents:
 1. the type of document,
 2. the general subject matter of the document,
 3. the date of the document, and such other information as is sufficient to identify the document, including, where appropriate, the author, addressee, custodian, and any other recipient of the document and, where not apparent, the relationship of the author, addressee, custodian, and any other recipient to each other.
15. If, in answering these Discovery Requests, the responding party encounters any ambiguities when construing a question, instruction, or definition, the responding party's answer shall set forth the matter deemed ambiguous and the construction used in answering.
16. Nothing in these Discovery Requests should be construed to apply to the President of the United States or direct communications with the President.

DEFINITIONS

Notwithstanding any definition below, each word, term, or phrase used in these Discovery Requests is intended to have the broadest meaning permitted under the Federal Rules of Civil Procedure.

1. *DOGE*: The term "DOGE" refers collectively to (1) Defendant United States DOGE Service, established by Executive Order 14158, "Establishing and Implementing the President's 'Department of Government Efficiency,'" on January 20, 2025; (2) the U.S. DOGE Service Temporary Organization ("DOGE Temporary Organization") described in Executive Order 14158; and (3) any agent, unit, or component of the foregoing.

2. *Administrator*: The term “Administrator” means any person appointed to be the Administrator of the United States DOGE Service as established in Executive Order 14158, including any person appointed to that position on a temporary, interim, or acting basis.
3. *Federal agency*: The term “federal agency” refers to any entity of the United States government, whether executive, legislative, or judicial.
4. *Communication*: The term “communication” means the transmittal of information by any means.
5. *Document*: The terms “document” and “documents” are synonymous in meaning and equal in scope to the term “items” in Fed. R. Civ. P. 34(a)(1) and include, but are not limited to, electronically stored information. The terms “writings,” “recordings,” and “photographs” are defined to be synonymous in meaning and equal in scope to the usage of those terms in Fed. R. Evid. 1001. A draft or non-identical copy is a separate document within the meaning of the term “document.” *However*, for purposes of these requests only, while the term “document” includes electronically stored information, it does not, unless the specific request indicates otherwise, include emails, text messages, or any similar electronically exchanged communication, except that documents should not be excluded from your response merely because they may be otherwise attached to such communications.
6. *DOGE Team*: The term “DOGE Team” is synonymous in meaning and equal in scope to the term “DOGE Team” in Executive Order 14158.
7. *Employee*: The term “employee” means any person who is authorized to perform or actually performs work on behalf of any entity or agency—including, for the avoidance of doubt, DOGE—regardless of their formal employment classification, whether they are a detailee from another agency, or are providing services on a volunteer basis. The term includes any employee who is detailed or employed elsewhere, so long as that employee continues in any role in the agency in which they are an employee. The term also includes the actual or de facto leader of an entity or agency (e.g., the DOGE Administrator is an “employee” of DOGE).
8. *Federal record*: The term “federal record” is synonymous in meaning and equal in scope to the term “record” in 44 U.S.C. § 3301.
9. *Identify (with respect to persons)*: When referring to a person, to “identify” means to state the person’s full name, present or last known address, and, when referring to a natural person, the present or last known place of employment. If telephone numbers are known to the answering party, and if the person is not a party or present employee of a party, said telephone numbers shall be provided. Once a person has been identified in accordance with this subparagraph, only the name of the person need be listed in response to subsequent discovery requesting the identification of that person.
10. *Identify (with respect to documents)*: When referring to documents, to “identify” means to state the: (i) type of document; (ii) general subject matter; (iii) date of the document;

and, (iv) author(s), addressee(s), and recipient(s) or, alternatively, to produce the document.

11. *Location*: The term “location” means, for electronic documents and communications, the device, server, or medium on which those documents and communications are stored or maintained, as well as where any such device, server, or medium can be found. For documents in non-electronic form, the term “location” means where and in whose possession the documents can be found.
12. *Person*: The term “person” means any natural person or any business, legal or governmental entity or association, or their agents. Requests seeking the identification of a “person” seek the person’s name.
13. *Relating to*: The term “relating to” means concerning, referring to, describing, evidencing, or constituting.
14. *You/Your*: The terms “You” or “Your” include the person(s) to whom these requests are addressed, and all of that person’s agents, representatives, and attorneys.
15. The present tense includes the past and future tenses. The singular includes the plural, and the plural includes the singular. “All” means “any and all;” “any” means “any and all.” “Including” means “including but not limited to.” “And” and “or” encompass both “and” and “or.” Words in the masculine, feminine, or neuter form include each of the other genders.
16. If the requested documents are maintained in a file, the file folder is included in the request for production of those documents.

PLAINTIFF'S FIRST SET OF INTERROGATORIES
TO DEFENDANTS U.S. DOGE SERVICE AND ADMINISTRATOR OF THE U.S. DOGE
SERVICE

INTERROGATORY NO. 1: Identify all current and former employees of DOGE and members of DOGE Teams and, for each such person, the dates of their employment, their positions, whether they are paid, to whom they directly report, whether they are employed by DOGE, the DOGE Temporary Organization, or a federal agency, under whose authority they were hired or their volunteer services accepted, and whether they have independent access to DOGE office space in the Eisenhower Executive Office Building.

RESPONSE:

INTERROGATORY NO. 2: Identify any current or former employees of DOGE who have been detailed to other federal agencies or have simultaneously been employees of DOGE and a federal agency, and, for each such employee, the agencies to which they have been detailed or by which they have simultaneously been employed, their positions and duties at those agencies, and any duties they have retained at DOGE during their detail or simultaneous employment.

RESPONSE:

INTERROGATORY NO. 3: Identify each Administrator since January 20, 2025, the dates during which each person held that position, whether they interviewed for that position, with whom they interviewed, and who first informed them that they had been appointed to that position.

RESPONSE:

INTERROGATORY NO. 4: Identify all persons who oversee, supervise, or exercise authority over the conduct of DOGE employees, DOGE Teams, or any affiliates thereof, and how they do so, including any dedicated staff or systems to facilitate such oversight, any recurring reports that DOGE employees and DOGE Team members are required to submit, and any DOGE employees who are exempt from those systems or reports. As part of this response, identify all persons who have the authority to hire, terminate, or detail DOGE employees, or who have actually taken such actions, since January 20, 2025.

RESPONSE:

INTERROGATORY NO. 5: Identify each federal agency contract, grant, lease, or similar instrument that any DOGE employee or DOGE Team member directed federal agencies to cancel or rescind since January 20, 2025.

RESPONSE:

INTERROGATORY NO. 6: Identify each federal agency contract, grant, lease, or similar instrument that any DOGE employee or DOGE Team member recommended that federal agencies cancel or rescind since January 20, 2025, and whether that recommendation was followed.

RESPONSE:

INTERROGATORY NO. 7: Identify each federal agency employee or position that any DOGE employee or DOGE Team member directed federal agencies to terminate or place on administrative leave since January 20, 2025.

RESPONSE:

INTERROGATORY NO. 8: Identify each federal agency employee or position that any DOGE employee or DOGE Team member recommended federal agencies terminate or place on administrative leave since January 20, 2025 and whether that recommendation was followed.

RESPONSE:

INTERROGATORY NO. 9: Identify each federal agency database or data management system to which, since January 20, 2025, any DOGE employee has attempted to gain, has planned to gain, or plans to gain access, and whether access was obtained.

RESPONSE:

INTERROGATORY NO. 10: Describe all instances in which any DOGE employee told an employee of a federal agency that the DOGE employee would or could call law enforcement in response to the other employee's conduct, including who made such statement, the federal agency and conduct of the federal agency employee at issue, the law enforcement entity referenced, and, if the law enforcement was called, who made the call and law enforcement's response.

RESPONSE:

INTERROGATORY NO. 11: Identify whether any DOGE employee or DOGE Team member has used or presently uses non-official messaging systems or applications with auto-delete functionality, including but not limited to Signal, to conduct government business.

RESPONSE:

INTERROGATORY NO. 12: Identify all persons who are or who have posted or authored posts to the @DOGE X account since January 20, 2025.

RESPONSE:

INTERROGATORY NO. 13: For each Request for Admission served concurrently with these interrogatories, explain the basis for Defendants' response, including the basis of any partial or full denial, for any request not fully admitted.

RESPONSE:

PLAINTIFF'S FIRST REQUESTS FOR ADMISSION
TO DEFENDANTS U.S. DOGE SERVICE AND ADMINISTRATOR OF THE U.S. DOGE
SERVICE

REQUEST FOR ADMISSION NO. 1: Admit that since January 20, 2025, DOGE employees have directed federal agencies to cancel contracts, grants, or leases.

Admit: _____ Deny: _____

REQUEST FOR ADMISSION NO. 2: Admit that since January 20, 2025, DOGE employees have recommended that federal agencies cancel contracts, grants, or leases.

Admit: _____ Deny: _____

REQUEST FOR ADMISSION NO. 3: Admit that since January 20, 2025, DOGE Team members have directed federal agencies to cancel contracts, grants, or leases.

Admit: _____ Deny: _____

REQUEST FOR ADMISSION NO. 4: Admit that since January 20, 2025, DOGE Team members have recommended that federal agencies cancel contracts, grants, or leases.

Admit: _____ Deny: _____

REQUEST FOR ADMISSION NO. 5: Admit that since January 20, 2025, DOGE employees have directed changes in the employment status of employees of federal agencies.

Admit: _____ Deny: _____

REQUEST FOR ADMISSION NO. 6: Admit that since January 20, 2025, DOGE employees have recommended changes in the employment status of employees of federal agencies.

Admit: _____ Deny: _____

REQUEST FOR ADMISSION NO. 7: Admit that since January 20, 2025, DOGE Team members have directed changes in the employment status of employees of federal agencies.

Admit: _____ Deny: _____

REQUEST FOR ADMISSION NO. 8: Admit that since January 20, 2025, DOGE Team members have recommended changes in the employment status of employees of federal agencies.

Admit: _____ Deny: _____

REQUEST FOR ADMISSION NO. 9: Admit that since January 20, 2025, DOGE Team members have directed federal agencies to keep open vacancies in career positions.

Admit: _____ Deny: _____

REQUEST FOR ADMISSION NO. 10: Admit that since January 20, 2025, DOGE Team members have recommended that federal agencies keep open vacancies in career positions.

Admit: _____ Deny: _____

REQUEST FOR ADMISSION NO. 11: Admit that since January 20, 2025, the Office of Management and Budget has apportioned over \$41 million to the “United States DOGE Service” account.

Admit: _____ Deny: _____

PLAINTIFF'S FIRST REQUESTS FOR PRODUCTION TO DEFENDANTS U.S. DOGE SERVICE AND ADMINISTRATOR OF THE U.S. DOGE SERVICE

REQUEST NO. 1: All Interagency Agreements or Memoranda of Understanding, from January 20, 2025 to the present, between DOGE and federal agencies.

REQUEST NO. 2: All Visitor Access Requests, from January 20, 2025 to the present, concerning any DOGE employee detailed to, otherwise working at, or accessing the offices of, federal agencies.

REQUEST NO. 3: All general terms and conditions invoices, commonly referred to as G-invoices, concerning DOGE-related work performed from January 20, 2025 to the present.

REQUEST NO. 4: All timekeeping records for any DOGE employee or DOGE Team member reflecting DOGE-related work.

REQUEST NO. 5: All final directives, or announcements of final directives, from any DOGE employee to any DOGE Team or federal agency, including such directives or announcements made by electronic messages such as email, signal message, X direct message, or text message.

REQUEST NO. 6: All final directives, or announcements of final directives, from any DOGE Team to any federal agency, including such directives or announcements made by electronic messages such as email, signal message, X direct message, or text message.

REQUEST NO. 7: All entity-wide final directives, or announcements of final directives, sent by any current or former Administrator to any DOGE employee or DOGE Team member since January 20, 2025, including such directives or announcements made by electronic messages such as email, signal message, X direct message, or text message.

REQUEST NO. 8: Any documents formalizing DOGE's organization, structure, reporting lines, operational units or divisions, or authority with respect to federal agencies.

REQUEST NO. 9: Any mission statement, memorandum, guidance, or other final records delineating the scope of DOGE's or any DOGE Team's authorities, functions, or operations.

REQUEST NO. 10: All announcements to any DOGE employee or DOGE Team regarding the appointment or departure of any Administrator from January 20, 2025 to the present, including such announcements made by electronic messages such as email, signal message, X direct message, or text message.

REQUEST NO. 11: All documents, including responses, produced in response to Plaintiff States' First Set of Written Discovery in *New Mexico v. Musk*, No. 1:25-cv-429 (D.D.C. filed February 13, 2025), and the consolidated case *Japanese American Citizens League v. Musk*, 1:25-cv-643 (D.D.C. filed Mar. 5, 2025), including copies of Defendants' answers to all requests for production, interrogatories, and requests for admission, including objections, as well as any exhibits, attachments, logs, files, or other things produced in response to Plaintiff States' requests in that case, as well as any deposition transcripts produced.

REQUEST NO. 12: All documents, including responses, produced in response to Plaintiff States’ First Set of Written Discovery in *AFL-CIO v. Department of Labor*, No. 1:15-cv-339 (D.D.C. filed Feb. 5, 2025), including copies of Defendants’ answers to all requests for production, interrogatories, and requests for admission, including objections, as well as any exhibits, attachments, logs, files, or other things produced in response to Plaintiffs’ requests in that case, as well as any deposition transcripts produced.

REQUEST NO. 13: All “direct messages” sent by the @DOGE X account relaying any final directives to a federal agency from January 20, 2025 to the present.

REQUEST NO. 14: All documents describing DOGE’s record retention and preservation policies, including those relating to the @DOGE X account.

DEPOSITIONS

Plaintiff seeks the depositions of the following DOGE employees:

- Amy Gleason
- Steven Davis

Plaintiff also seeks a deposition of DOGE under Fed. R. Civ. P. 30(b)(6) on the following topics:

1. DOGE's establishment, mission, responsibilities, personnel, leadership structure, authorities, and decision-making and reporting structure (including the relationship of DOGE to DOGE Teams and DOGE employees detailed to or otherwise working at or with federal agencies and the relationship of DOGE Teams to federal agencies) between January 20, 2025 and the date of deposition.
2. The scope of DOGE's and DOGE Teams' authority with regard to federal agencies, and actions DOGE or DOGE Teams have actually undertaken with regard to federal agencies, between January 20, 2025 and the date of deposition.
3. The role and responsibilities of all DOGE employees detailed to or otherwise working at or with federal agencies, or having supervisory authority over DOGE employees detailed to or otherwise working at or with federal agencies, between January 20, 2025 and the date of deposition, including their titles at DOGE and any federal government entity; their responsibilities at federal agencies, DOGE, and any other federal government entities to which they have been detailed and/or otherwise assigned; their authority with regard to other federal agency staff; the supervision of said DOGE employees; and the policies, procedures, and protocols pertaining to their detailing to and activities at other federal agencies.
4. DOGE's budget, resources, funding, and expenditure of federal funds.
5. DOGE's recordkeeping and retention policies and practices.

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

CITIZENS FOR RESPONSIBILITY AND
ETHICS IN WASHINGTON,

Plaintiff,

v.

U.S. DOGE SERVICE, *et al.*,

Defendants.

Case No. 1:25-cv-00511-CRC

[Proposed] Order

Upon consideration of Plaintiff's motion for modification of discovery schedule and denial of stay motion as moot, ECF No. ___, it is hereby:

ORDERED that [39] Defendants' Motion to Stay is denied as moot; it is further

ORDERED that Defendants:

Serve responses and objections to Plaintiff's Discovery Requests in accordance with [38] the Court's Opinion and Order of April 15, 2025 within 7 days of the date of this order;

Produce all responsive documents within 14 days of the date of this order; and it is further

ORDERED that all depositions be completed within 10 days from the deadline for producing documents.

Should Defendants seek and obtain any stay from the Supreme Court, it is

ORDERED that Defendants comply with the discovery schedule set forth above upon denial or dissolution of any stay issued by the Supreme Court without further order of this Court.

SO ORDERED.

Date: 5/20/25



Hon. Christopher R. Cooper
United States District Judge