IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

CITIZENS FOR RESPONSIBILITY AND ETHICS IN WASHINGTON, *et al.*,

Plaintiff,

v.

U.S. DEPARTMENT OF DEFENSE, *et al.*,

Defendants.

Civil Action No. 26-cv-3856-ABJ

HEARING REQUESTED

PLAINTIFFS' MOTION FOR EXPEDITED SUMMARY JUDGMENT AND A PRELIMINARY INJUNCTION TO PRESERVE RECORDS

Pursuant to Federal Rule of Civil Procedure 56 and Local Civil Rule 7(h), Plaintiffs move for expedited summary judgment on all counts of the Complaint. Pursuant to Federal Rule of Civil Procedure 65 and Local Civil Rule 65.1, Plaintiffs also move for a preliminary injunction requiring Defendants United States Department of Defense, Pete Hegseth, and Emil Michael to preserve the records described in that Count during the pendency of this litigation. [1]

For the reasons set forth in the accompanying memorandum of law, Plaintiffs are entitled to the relief sought, and because the Complaint presents pure questions of law for which there is no genuine dispute of material facts, Plaintiffs' claims are suitable for resolution at this stage of litigation.

Plaintiffs' motion is supported by the attached memorandum of law, the Declarations of Jonathan Maier on behalf of Plaintiff Citizens for Responsibility and Ethics in Washington, Robert Weissman on behalf of Plaintiff Public Citizen, and Scott Amey and William Hartung on behalf

[1] Because Plaintiffs seek two forms of relief—(1) summary judgment with respect to all counts and (2) a preliminary injunction with respect to Count II—Plaintiff are filing the instant motion and the accompanying memorandum of law as two separate docket entries.

of Plaintiff Project On Government Oversight, the Complaint, the court record in this action, and any argument or evidence the Court may consider at a hearing on this motion. Plaintiffs request an oral hearing on this motion pursuant to Local Civil Rules 7(f) and 65.1(d).

To facilitate resolution of Plaintiffs' motion in advance of the January 28, 2027, deadline that Defendants have announced for the completion of the activities being challenged in the Complaint, Plaintiffs respectfully ask the Court to enter a briefing schedule that would allow for briefing to be completed by December 15, 2026, and to set a hearing on the motion sufficiently in advance of the January 28th reporting deadline to allow the Court to rule on the motion before January 28. Undersigned counsel has conferred with Defendants' counsel on this issue, and Defendants oppose this request.

Dated: November 16, 2026

Respectfully submitted,

/s/Jonathan E. Maier

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