



U.S. Department of Justice

Civil Division

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March 17, 2025

Clifton Cislak
Clerk of the Court
United States Court of Appeals
for the District of Columbia Circuit
333 Constitution Ave, N.W,
Washington, D.C. 20001

Re: *J.G.G. et al. v. Trump et al.*
Nos. 25-5067, 25-5068

Dear Mr. Cislak:

Pursuant to Rule 28(j), Defendant-Appellants (the Government) provide notice of further developments below. The district court today denied the Government's request to vacate the previously scheduled hearing and held that hearing at 5pm today. At the hearing, the district court asked several questions that could have required disclosure of sensitive operational details, in a manner that raises potential national security concerns.

Following the hearing, the district judge ordered the Government to address a series of issues, including by declaration(s), and to provide its position as to "whether, and in what form, it will provide answers to the Court's questions regarding the particulars of the flights." A copy of that minute order is attached.

The district court is thus continuing to press for details that are sensitive and, in many cases, not relevant to any issue presented. The order and inquiries continue to underscore the need for a stay pending appeal in this case, including an administrative stay, and the urgency with which such stays are needed. Notwithstanding the district court's blithe suggestion that the Government can easily provide details, including potentially classified details, about an operation related to members of a designated foreign terrorist organization as if there would be no concerns, the Government must vigilantly guard national security information from unwarranted disclosure. Accordingly, this Court should have a chance to rule upon the Government's request for a stay pending appeal before the district court tries to compel the Government to disclose sensitive national security information and expose itself to potential judicial micromanagement of how it conducts foreign policy and national security operations.

Respectfully submitted,

/s/ Drew C. Ensign

DREW C. ENSIGN

Deputy Assistant Attorney General