

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

DONALD J. TRUMP, in his capacity as  
the 45th President of the United States,

Plaintiff,

v.

Civil Action No. 21-2769

BENNIE G. THOMPSON, in his official  
capacity as Chairman of the United States  
House Select Committee to Investigate  
the January 6th Attack on the United States  
Capitol; THE UNITED STATES HOUSE  
SELECT COMMITTEE TO INVESTIGATE  
THE JANUARY 6TH ATTACK ON THE  
UNITED STATES CAPITOL; DAVID S.  
FERRIERO, in his official capacity as  
Archivist of the United States; and THE  
NATIONAL ARCHIVES AND RECORDS  
ADMINISTRATION,

Defendants.

**PLAINTIFF'S EMERGENCY MOTION FOR INJUNCTION  
PENDING APPEAL, OR AN ADMINISTRATIVE INJUNCTION**

1. Pursuant to Federal Rule of Civil Procedure 62(d), and should the Court deny the pending Motion for a Preliminary Injunction, DCD No. 5, Plaintiff hereby moves the Court for an injunction pending appeal to the United States Court of Appeals for the D.C. Circuit, prohibiting Defendants from enforcing or complying with the challenged requests until the D.C. Circuit resolves the appeal of any denial of Plaintiff's Motion for a Preliminary Injunction. In the alternative, Plaintiff moves

for an administrative injunction, to maintain the *status quo* on a temporary basis while the D.C. Circuit considers the matter, pursuant to 28 U.S.C. § 1651.

2. In support of this motion, Plaintiff relies upon the accompanying statement of points and authorities, Plaintiff's other filings, and the oral argument presented on November 4, 2021.

WHEREFORE, should this Court deny Plaintiff's Motion for a Preliminary Injunction, Plaintiff moves this Court for an injunction pending appeal, or an administrative injunction, prohibiting Defendants from enforcing or complying with the Committee's request until the U.S. Court of Appeals for the D.C. Circuit can consider this matter.

Dated: November 8, 2021

Respectfully submitted,

/s/ Jesse R. Binnall

Jesse R. Binnall (VA022)

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**CERTIFICATE OF SERVICE**

I certify that the foregoing was electronically filed with the Clerk of Court using the Court's CM/ECF system, which will cause a copy to be sent to all counsel of record.

Dated: November 8, 2021

Respectfully submitted,

/s/ Jesse R. Binnall  
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