

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

PUBLIC CITIZEN, INC., *et al.*,

Plaintiffs,

v.

DONALD J. TRUMP, *et al.*,

Defendants.

Civil Action No. 1:25-cv-00164 (JMC)

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JERALD LENTINI, *et al.*,

Plaintiffs,

v.

DEPARTMENT OF GOVERNMENT  
EFFICIENCY, *et al.*,

Defendants.

Civil Action No. 1:25-cv-00166 (JMC)

\*\*\*\*\*

AMERICAN PUBLIC HEALTH  
ASSOCIATION, *et al.*,

Plaintiffs,

v.

OFFICE OF MANAGEMENT AND  
BUDGET, *et al.*,

Defendants.

Civil Action No. 1:25-cv-00167 (JMC)

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**SECOND NOTICE OF NEW EVIDENCE**

In support of their Motion for Expedited Discovery, Dkt. #20, Plaintiffs Jerald Lentini, Joshua Erlich, and National Security Counselors, Inc. hereby respectfully submit new evidence which conclusively demonstrates that expedited discovery is urgently needed to ascertain the nature of the Department of Government Efficiency and its relationship to the United States DOGE Service, of which Amy Gleason is the Acting Administrator. These Plaintiffs apologize for this submission and do not file additional paper in this case lightly, but this new evidence is of a nature which was not previously available yet is extraordinarily compelling.

On 19 March 2025, the attorneys for defendants X Corporation, X Holdings Corporation, and Elon Musk (“Musk”) submitted a letter to the U.S. District Court for the District of Delaware detailing their objections to the plaintiffs’ request to depose Musk. In this letter, Musk’s *own private lawyers* stated: “And the presumed undue burden from a deposition is heightened because Musk is not only X Corp.’s (and other companies’) highest executive, but he is a high-ranking government official. The White House has designated Musk a ‘special government employee’ *in charge of Establishing and Implementing the President’s Department of Government Efficiency (“DOGE”).*” Ltr., Dkt. #144, at 3 (filed Mar. 19, 2025), *Arnold v. X Corp.*, No. 23-528 (D. Del.) (emphasis added) (citations omitted), attached as Ex. D.

In other words, while all the previous evidence of conflicting statements about Musk’s role in DOGE has come from third parties (although some, like President Trump, have been more significant than others), this is the first statement which can be directly attributed to Musk himself, since it came from his own counsel. This statement definitively demonstrates the extraordinary need for this Court to authorize the requested depositions to ascertain the exact role that Musk plays with respect to DOGE, the United States DOGE Service, and related entities.

Date: March 22, 2025

Respectfully submitted,

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