

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

JANE DOES 1-7,)	
)	
Plaintiffs,)	
)	
v.)	Civil Action No. 1:25-CV-00234
)	
OFFICE OF PERSONNEL MANAGEMENT,)	
)	
Defendant.)	

**DEFENDANT’S RESPONSE TO PLAINTIFF’S “NOTICE OF NEW EVIDENCE
REGARDING THEIR MOTION FOR SANCTIONS”**

Defendants hereby respond to Plaintiffs’ purported “notice of new evidence” in support of their sanctions motion, filed last night. *See* ECF No. 36. As Defendants understand this latest filing, counsel for Plaintiffs contends that: (1) Ms. Shapiro introduced an attorney from the Office of Personnel Management (OPM) at the outset of a February 6 TRO/Status hearing, *see* ECF No. 31-1 at 2 (“MS. SHAPIRO: Good morning, Your Honor. Elizabeth Shapiro from the Department of Justice on behalf of OPM. And with me is Olivia Horton and Jacob Altik from OPM as well.”); (2) Media reports suggest that Mr. Altik may have worked or now works at other government components as well; and (3) “In light of this new information about Mr. Altik, it has become apparent that Ms. Shapiro may have misrepresented—knowingly or unknowingly—his affiliation to the Court on 6 February...” ECF No. 36 at 2.

As this description makes clear, Plaintiffs’ “notice” and the argument accompanying it is ridiculous on its face. The filing does not even appear to contend—let

alone support any such contention—that what Ms. Shapiro said was false (i.e., that Mr. Altik was not in fact from OPM). In any event, in identifying Mr. Altik along with other counsel appearing on behalf of Defendants, Ms. Shapiro was not making any broader representation about Mr. Altik, including any relationship he may have or have had with other governmental components then, in the past, or in the future. She was simply introducing him and other counsel at counsels’ table, a routine step lawyers take at virtually every hearing in this Court and in other courts. Mr. Altik was not discussed at the hearing after this initial reference; he was simply present.

This latest filing only underscores the unfounded nature of the underlying sanctions motion, impugning without any basis the reputation of OPM’s counsel. This Court should swiftly deny the motion and admonish Mr. McClanahan for filing it.

Respectfully submitted,

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