

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

NICOLAS TALBOTT, ERICA VANDAL, KATE)
COLE, GORDON HERRERO, DANY)
DANRIDGE, JAMIE HASH, KODA NATURE,)
and CAEL NEARY,)

Plaintiffs,)

v.)

DONALD J. TRUMP, in his official capacity as)
President of the United States; the UNITED)
STATES OF AMERICA; PETER B. HEGSETH,)
in his official capacity as Secretary of Defense;)
MARK AVERILL, in his official capacity as)
Acting Secretary of the Army; the UNITED)
STATES DEPARTMENT OF THE ARMY;)
TERENCE EMMERT, in his official capacity as)
Acting Secretary of the Navy; the UNITED)
STATES DEPARTMENT OF THE NAVY;)
GARY ASHWORTH, in his official capacity as)
Acting Secretary of the Air Force; the UNITED)
STATES DEPARTMENT OF THE AIR FORCE;)
TELITA CROSLAND, in her official capacity as)
Director of the Defense Health Agency; and the)
DEFENSE HEALTH AGENCY,)

Civil Action No. 25-cv-240-ACR

Defendants.)
_____)

PLAINTIFFS' APPLICATION FOR PRELIMINARY INJUNCTION

Pursuant to Rule 65 of the Federal Rules of Civil Procedure and Local Rule 65(c), and supported by the Memorandum of Law and Declarations submitted herewith, Plaintiffs move for a preliminary injunction prohibiting Defendants from implementing President Trump's January 27, 2025 executive order (the "Order") effectively banning transgender people from serving in the United States Armed Forces. As required by Local Civil Rule 7(m), counsel for Plaintiffs conferred with counsel for Defendants on February 3, 2025. Defendants' counsel informed

Plaintiffs' counsel that Defendants oppose the relief requested in this motion. For the reasons discussed in the accompanying Memorandum of Law, the Order violates Plaintiffs' rights to equal protection under the Fifth Amendment, and immediate injunctive relief is necessary to prevent Plaintiffs from suffering irreparable harm as a result of the Order. The specific relief sought herein is described in the accompanying Memorandum.

A proposed order granting injunctive relief is submitted with this motion.

DATED: February 3, 2025

Respectfully submitted,

Jennifer Levi (*pro hac vice*)
Mary L. Bonauto (*pro hac vice*)
GLBTQ LEGAL ADVOCATES & DEFENDERS
18 Tremont Street, Suite 950
Boston, MA 02108
Telephone: (617) 426-1350
jlevi@glad.org
mbonauto@glad.org

/s/ Joseph J. Wardenski
Joseph J. Wardenski (D.C. Bar No. 995549)
WARDENSKI P.C.
134 West 29th Street, Suite 709
New York, NY 10001 Telephone:
(347) 913-3311
joe@wardenskilaw.com

Shannon P. Minter (*pro hac vice* forthcoming)
NATIONAL CENTER FOR LESBIAN RIGHTS
870 Market Street, Suite 370
San Francisco, CA 94102
Telephone: (415) 392-6257
sminter@nclrights.org

Attorneys for Plaintiffs