

**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,)
Defendants.)

Civil Action No. 25-cv-240-ACR

PLAINTIFFS’ APPLICATION FOR TEMPORARY RESTRAINING ORDER

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 temporary restraining order maintaining the status quo and prohibiting Defendants from implementing President Trump’s January 27, 2025 executive order (the “Order”) banning transgender people from serving in the United States Armed Forces until this Court rules on the merits of Plaintiffs’ Application for Preliminary Injunction. As required by Local Rule 65.1(a), counsel for Plaintiffs has notified counsel for Defendants of the filing of this Application and has

provided counsel for Defendants with copies of all pleadings and papers filed in this action to date. 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 a temporary restraining order is submitted with this motion.

DATED: February 4, 2025

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Respectfully submitted,

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