

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

GWYNNE A. WILCOX,
Plaintiff,

v.

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

and

MARVIN E. KAPLAN, in his official
capacity as Chairman of the National
Labor Relations Board,

Defendants.

Case No. 1:25-cv-00334-BAH

PLAINTIFF’S MOTION FOR EXPEDITED SUMMARY JUDGMENT

The plaintiff, Gwynne A. Wilcox, respectfully moves under Federal Rule of Civil Procedure 56 for an order granting expedited summary judgment in her favor. As set forth in more detail in the accompanying memorandum, President Trump’s removal of Ms. Wilcox not only unlawfully deprives her of her job; it also deprives the NLRB of a quorum, leaving it unable to fulfill its critical role in adjudicating labor disputes, thereby disrupting protections essential to workers, employers, and the broader public. Because there is no dispute about the facts here—that the President removed Ms. Wilcox from the Board in violation of the NLRA’s requirements—there is no barrier to proceeding straight to summary judgment. And given the inability of the NLRB to function without her, Ms. Wilcox respectfully requests that this Court expedite this motion and consider it on the same schedule as it would a motion for preliminary injunction under Local Rule 65.1(c).

Immediately before filing, counsel for Ms. Wilcox emailed a copy of this motion and all accompanying documents, as well as the complaint in the case, to the Assistant Directors for the Federal Programs Branch of the Department of Justice.

Dated: February 10, 2025

Respectfully submitted,

/s/ Deepak Gupta

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CERTIFICATE OF SERVICE

I hereby certify that on February 10, 2025, I electronically filed the foregoing motion with the Clerk of the Court for the U.S. District Court for the District of Columbia by using the CM/ECF system. All participants not served by the CM/ECF system have been served in accordance with FRCP 5 and LCvR 5.4(d). A paper copy of the foregoing motion and all accompanying documents has been served on each defendant, the Attorney General, and the United States Attorney for the District of Columbia. In addition, the motion and all accompanying documents have been emailed to the service email address provided by the United States Attorney for the District of Columbia, the Civil Chief of the United States Attorney's Office of the District of Columbia, and the Assistant Directors for the Federal Programs Branch of the Department of Justice.

February 10, 2025

/s/ Deepak Gupta

Deepak Gupta (D.C. Bar No. 495451)