

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

AMERICAN FEDERATION OF LABOR
AND CONGRESS OF INDUSTRIAL
ORGANIZATIONS, et al.,

Plaintiffs,

v.

DEPARTMENT OF LABOR et al.,

Defendants.

Case No. 1:25-cv-00339-JDB

Judge John D. Bates

DEFENDANTS' MOTION FOR RECONSIDERATION

Defendants—the U.S. Department of Labor, Secretary of Labor Lori Chavez-DeRemer, the Department of Health and Human Service, HHS Secretary Robert F. Kennedy, Jr., the Consumer Financial Protection Bureau, Acting CFPB Director Russell Vought, the U.S. Digital Service (U.S. DOGE Service), and U.S. DOGE Service Temporary Organization—move the Court to reconsider its prior ruling authorizing written discovery, pursuant to Federal Rule of Civil Procedure 54(b), and issue a protective order pursuant to Federal Rule of Civil Procedure 26(c) to halt or delay all or part of the discovery ordered in this matter prior to the Court's ruling on Defendants' Motion to Dismiss. ECF No. 49. This Motion is based on material changes in the factual circumstances on which the Court based its Order granting in part and denying in part Plaintiffs' Motion for Expedited Discovery. ECF No. 48. Defendants have conferred with Plaintiffs' counsel as required by Local Rule 7(m), and the motion is opposed. A proposed order is attached.

Dates: March 11, 2025

Respectfully submitted,

YAAKOV M. ROTH
Acting Assistant Attorney General
Civil Division

MARCIA BERMAN
Assistant Branch Director
Civil Division, Federal Programs Branch

/s/Michael J. Gerardi
Michael J. Gerardi
Senior Trial Counsel (DC Bar No. 1017949)
Benjamin S. Kurland
Trial Attorney (D.C. Bar No. 1617521)
United States Department of Justice
Civil Division, Federal Programs Branch
1100 L St. NW
Washington, DC 20005
Tel: (202) 616-0680
Fax: (202) 616-8460
E-mail: Michael.J.Gerardi@usdoj.gov

Counsel for Defendants