

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

AMERICAN FOREIGN SERVICE  
ASSOCIATION, *et al.*,

Plaintiffs,

v.

PRESIDENT DONALD J. TRUMP, *et al.*,

Defendants.

Civil Action No. 1:25-cv-352-CJN

**DEFENDANTS' MOTION TO DISMISS, OR IN THE ALTERNATIVE, MOTION FOR  
SUMMARY JUDGMENT**

Pursuant to Rules 12(b)(1) and 12(b)(6) of the Federal Rules of Civil Procedure, Defendants hereby move to dismiss the Amended Complaint, ECF No. 30, for lack of subject matter jurisdiction and for failure to state a claim upon which relief can be granted. In the alternative, and pursuant to Rule 56 of the Federal Rules of Civil Procedure, Defendants hereby move for summary judgment on all counts of the Amended Complaint. A brief in support of this motion and in opposition to Plaintiffs' motion for summary judgment, ECF No. 51, explains that Defendants are entitled to judgment as a matter of law.

Under Local Rule 7(n), "[i]n cases involving the judicial review of administrative agency actions" such as this one, "the agency must file a certified list of the contents of the administrative record with the Court . . . simultaneously with the filing of a dispositive motion," but "the entire administrative record shall not be filed with the Court" "[u]nless so requested by the Court." The certified list of contents shows that, in this case, the administrative record consists of a single declaration and exhibits attached thereto. The brief in support of this motion and in opposition to

Plaintiffs' motion for summary judgment cites the declaration and its exhibits. Consistent with Local Rule 7(n), Defendants are furnishing a copy of that declaration and its exhibits to counsel for Plaintiffs but are not presently filing it with the Court.

Dated: April 7, 2025

Respectfully submitted,  
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