

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

HAMPTON DELLINGER, in his personal capacity and in his official capacity as Special Counsel of the Office of Special Counsel,

Plaintiff,

-against-

SCOTT BESSENT, in his official capacity as Secretary of the Treasury, SERGIO GOR, in his official capacity as Director of the White House Presidential Personnel Office, KAREN GORMAN, in her official capacity as Principal Deputy Special Counsel and, upon the purported removal of the Special Counsel, the Acting Special Counsel of the Office of Special Counsel, KARL KAMMANN, in his official capacity as the Chief Operating Officer of the Office of Special Counsel, DONALD J. TRUMP, in his official capacity as President of the United States of America, and RUSSELL VOUGHT, in his official capacity as Director of the Office of Management and Budget,

Defendants.

Civil Case No. _____

PLAINTIFF'S MOTION FOR A TEMPORARY RESTRAINING ORDER

Plaintiff Hampton Dellinger hereby requests, under Federal Rule of Civil Procedure 65(b) and Local Rule 65.1, that this Court issue a temporary restraining order, to remain in effect until such time as the Court can further consider the merits of Plaintiff's claims, (1) declaring on an interim basis that President Trump's removal of Special Counsel Dellinger from office, and any recognition of an Acting Special Counsel in his place, is unlawful, and that Mr. Dellinger is the Special Counsel; and (2) enjoining the remaining Defendants from removing Special Counsel Dellinger from his office or in any way treating him as having been removed, denying or

obstructing Mr. Dellinger access to any of the benefits or resources of his office, placing an Acting Special Counsel in Mr. Dellinger's position, or otherwise recognizing any other person as Special Counsel or as the head of the Office of Special Counsel, pending further order of the Court. Plaintiff requests emergency relief due to the exigency of the circumstances and the irreparable nature of the injury the TRO would prevent.

As set forth in the accompanying Memorandum of Law in Support of Plaintiff's Motion for a Temporary Restraining Order, Plaintiff Hampton Dellinger has served as the Special Counsel of the United States Office of Special Counsel since March 6, 2024, following his nomination by the President and confirmation by the Senate, for a five-year term. He may be removed from that office "by the President only for inefficiency, neglect of duty, or malfeasance in office." 5 U.S.C. § 1211(b). On February 7, 2025, the President purported to remove Special Counsel Dellinger from his office in violation of the statute.

Pursuant to Local Rule 65.1(a), at approximately 9:13 AM on February 10, 2025, counsel for Plaintiff called the phone number listed on the U.S. Department of Justice Federal Programs Branch's website, (202) 514-1259, and left a voicemail for Alex Haas, Director of the Federal Programs Branch, providing notice of Plaintiff Hampton Dellinger's complaint and motion for a emergency temporary restraining order to be filed in the U.S. District Court for the District of Columbia at approximately 10:00 AM on February 10, 2025, and providing Plaintiff counsel's contact information.

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DATED: February 10, 2025
Washington, DC

Respectfully submitted,

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**Applications for pro hac vice pending*