

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

HAMPTON DELLINGER,

Plaintiff,

v.

SCOTT BESSENT, *et al.*,

Defendants.

Civil Action No. 1:25-cv-00385-ABJ

JOINT STATUS REPORT

On February 12, 2025, the Court ordered the parties to “confer and inform the Court by February 14 of their position on whether the Court should consolidate consideration of the request for preliminary injunction with consideration of the merits pursuant to Federal Rule of Civil Procedure 65(a)(2)” and to “submit a proposed schedule for any additional submissions they believe are warranted.” ECF No. 14.

Special Counsel Dellinger defers to the Court’s judgment on whether it would be helpful and expedient to consolidate consideration of the preliminary injunction with consideration of the merits pursuant to Federal Rule of Civil Procedure 65(a)(2), particularly as may be informed by the preliminary injunction hearing on February 26. Special Counsel Dellinger requests leave of the Court to file additional briefing, if any, on the following schedule:

- Special Counsel Dellinger’s supplemental brief, not to exceed ten double-spaced pages, due 5:00 PM Thursday, February 20, 2025;
- Defendants’ supplemental response if Special Counsel Dellinger files a supplemental brief, not

to exceed ten pages, due 5:00 PM Monday, February 24, 2025;

- Special Counsel Dellinger's supplemental reply, not to exceed five pages, due 5:00 PM Tuesday, February 25, 2025.

Defendants respectfully request that the Court consolidate consideration of the request for preliminary injunction with consideration of the merits pursuant to Federal Rule of Civil Procedure 65(a)(2). Defendants do not believe that any additional submissions from the parties are warranted.

Dated: February 14, 2025

Respectfully submitted,

BRETT A. SHUMATE
Acting Assistant Attorney General

CHRISTOPHER R. HALL
Assistant Branch Director

/s/ Madeline M. McMahon
MADELINE M. MCMAHON
(DC Bar No. 1720813)
Trial Attorney
U.S. Department of Justice
Civil Division, Federal Programs Branch
1100 L Street, NW
Washington, DC 20530
Telephone: (202) 451-7722
Email: madeline.m.mcmahon@usdoj.gov

Counsel for Defendants

/s/ Joshua A. Matz
Joshua A. Matz, Bar No. 1045064
Jackson Erpenbach, Bar No. 1735493
Benjamin Stern*
HECKER FINK LLP
1050 K Street NW
Suite 1040
Washington, DC 20001
(212) 763-0883
jmatz@heckerfink.com
jcrpenbach@heckerfink.com
bstern@heckerfink.com

Kate L. Doniger*
HECKER FINK LLP
350 Fifth Avenue, 63rd Floor
New York, New York 10118
(212) 763-0883
kdoniger@heckerfink.com
**Admitted pro hac vice*

Attorneys for Plaintiff Hampton Dellinger