

United States Court of Appeals  
FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 25-5072

September Term, 2024

1:25-cv-00429-TSC

Filed On: March 26, 2025

In re: Elon Musk, in his official capacity, et al.,

Petitioners

**BEFORE:** Henderson, Millett, and Walker, Circuit Judges

**ORDER**

Upon consideration of the petition for writ of mandamus, the response thereto, and the reply; and the emergency motion for stay, the responses thereto, and the reply, it is

**ORDERED** that the emergency motion for stay be granted and the district court's March 12, 2025 order be stayed pending further order of this court. Petitioners have satisfied the stringent requirements for a stay. See Nken v. Holder, 556 U.S. 418, 434 (2009); D.C. Circuit Handbook of Practice and Internal Procedures 33 (2024). In particular, petitioners have shown a likelihood of success on their argument that the district court was required to decide their motion to dismiss before allowing discovery. See generally Cheney v. U.S. Dist. Ct. for D.C., 542 U.S. 367, 389–90 (2004). The parties are directed to promptly notify this court upon the district court's disposition of petitioners' motion to dismiss. It is

**FURTHER ORDERED**, on the court's own motion, that case No. 25-5072 be held in abeyance pending further order of this court.

**Per Curiam**

**FOR THE COURT:**  
Clifton B. Cislak, Clerk

BY: /s/  
Selena R. Gancasz  
Deputy Clerk