IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

CITY OF SAINT PAUL, MINNESOTA, *et al.*, *Plaintiffs*, v. CHRISTOPHER WRIGHT, in his official capacity as Secretary of Energy, *et al*., *Defendants*.	Case No. 1:25-cv-3899-APM

STIPULATION REGARDING CONSOLIDATION UNDER RULE 65(a)(2)

Pursuant to Federal Rule of Civil Procedure 65(a)(2), the parties agree and stipulate to consolidation of the hearing on Plaintiffs' motion for a preliminary injunction held on December 11, 2025, with a trial on the merits, subject to Defendants' stipulation and Plaintiffs' statement, set forth below.

Defendants' Stipulation

Solely for the purposes of the present litigation and for no other purpose, with respect to the seven financial awards[1] at issue in this litigation,[2] Defendants stipulate[3] not to contest the following factual assertions:

1. The seven terminated awards, all of which have prime awardees in States that tend to elect and/or have recently elected Democratic candidates in state and national elections (so-

[1] Award Nos. EE0011131, EE0011801, EE0009951, EE0011133, EE0010930, EE0010622, and FE0032276.

[2] The parties have separately stipulated to the voluntary dismissal of Plaintiffs' claims with respect to awards FE0032658, FE0032699, and FE0032657.

[3] Plaintiffs do not join this stipulation or agree that it accurately states all of the facts in evidence.

called "Blue States"), are comparable to certain other U.S. Department of Energy ("DOE") awards that (a) are to prime awardees not in Blue States, and (b) did not receive letters terminating their awards in October 2025.

2. A primary reason for the selection of which DOE grant termination decisions were included in the October 2025 notice tranche was whether the grantee was located in a "Blue State."

Plaintiffs' Statement

If Plaintiffs prevail on the merits and the Court orders Defendants to return the seven financial awards at issue in this litigation to the status quo ante, Plaintiffs reserve the right to seek to enforce the Court's order if Defendants return the awards to a status that Plaintiffs do not agree is the status quo ante.[4]

Dated: December 23, 2025

Respectfully submitted,

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[4] Defendants do not join Plaintiffs' Statement and reserve all rights with respect to remedy should Plaintiffs prevail on the merits.

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*Pro hac vice forthcoming
+Pro hac vice pending

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