

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

NATIONAL TRUST FOR HISTORIC
PRESERVATION IN THE UNITED
STATES,

Plaintiff,

v.

NATIONAL PARK SERVICE, *et al.*,

Defendants.

Case No. 1:25-cv-04316-RJL

DEFENDANTS' NOTICE OF AVAILABILITY OF IN-PERSON INSPECTION

Defendants respectfully submit that the Court may, in evaluating the Trust's renewed motion for a preliminary injunction, determine that an in-person inspection of the East Wing project site would assist the Court's review. Although an inspection would not shed light on the legal issues associated with the Trust's likelihood of success on the merits—and the Court can deny the renewed motion on that basis alone—the alleged aesthetic injury and equitable considerations may be illuminated by viewing the site, its location, and ongoing construction activities. *Cf. Welzel v. Bernstein*, 233 F.R.D. 185, 186 (D.D.C. 2005) (explaining that site inspection is often allowed “because the specific location relates to the subject matter of the cause of action”); *Dicken v. United States*, 862 F. Supp. 91, 94 (D. Md. 1994) (“Although photos or videotape of the *locus in quo* might suffice, an inspection of the premises may, according to the presiding judge's lights, be desirable.”); David B. Sentelle, *Judge Dave & the Rainbow People*, 3 Green Bag 2d 61 (1999) (detailing a judicial site visit). Defendants stand ready to facilitate such an inspection by the Court at its convenience, with the attendance of one attorney for each side, subject to appropriate security measures.

Dated: March 13, 2026

Respectfully submitted,

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