

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

JOYCE BEATTY,

Plaintiff,

v.

DONALD J. TRUMP, *et al.*,

Defendants.

Civil Action No. 25-4480 (CRC)

DECLARATION OF CHARLES MATTHEW (“MATT”) FLOCA

In accordance with the provisions of 28 U.S.C. § 1746, I, Charles Matthew Floca, state as follows, under penalty of perjury, pertinent to the above-styled and numbered case:

1. I currently serve as the Executive Director and Chief Operating Officer of the John F. Kennedy Center for the Performing Arts (“the Center”). In this capacity, I exercise operational authority over all institutional departments, managing a complex integration of both trust and federal functions, including all elements of the Center’s physical footprint. I represent the executive management of the Center before its Board of Trustees. In my employment, I report to the Board of Trustees (“Board”).
2. The matters set forth in this Declaration are true and correct from my own personal knowledge and from information made available to me in the course of my official duties. I make this Declaration in support of Defendants’ Renewed Motion for Partial Summary Judgment and Motion to Dissolve the Preliminary Injunction
3. On August 13, the Board of Trustees conducted a meeting at which it adopted a resolution that the Center should close for two years to conduct necessary repairs and renovations pursuant to congressional appropriation. A true and correct copy of the preliminary minutes of that meeting, which contains the referenced resolution, appears on the docket of this litigation at ECF No. 68-3. I attended that meeting and can attest to the authenticity of the documents discussed at that meeting, several of which are discussed further below.
4. On August 11, the Center provided to trustees a meeting packet containing certain documents that were discussed at the August 13 Board meeting. As relevant to this filing, that packet contained a presentation developed by the Delta Consulting Group entitled “Construction Program Assessment.” A true and correct copy of that presentation appears under seal on the docket in this litigation at ECF No. 65-2. The meeting packet also contained a report developed by JLL, a construction management firm, entitled

“Comprehensive Project Development Plan.” A true and correct copy of that report appears under seal on the docket in this litigation at ECF No. 65-1.

5. On August 31, 2026, the Center distributed to trustees a report developed by Delta Consulting Group and entitled “Construction Program Assessment Report.” A true and correct copy of that report and certain of its appendices is attached to this declaration as Exhibit A. Exhibit A includes appendices relied upon by the Delta Consulting Group to reach its determinations. Appendices included in Exhibit A are those appendices that do not already appear in the record. Excluded also are appendices that contain sensitive architectural drawings.¹
6. On September 13, 2026, the Center distributed to trustees a packet of materials developed by Center management for discussion at a September 15 Board meeting. A true and correct copy of that packet of materials is attached to this declaration as Exhibit B. I attended the September 15 Board meeting and can attest to the authenticity of the documents discussed and to events that occurred at that meeting.
7. On September 15, 2026, the Board met again to discuss an array of documents compiled by an independent consultant and by Center management. At the conclusion of the meeting, the Board adopted a resolution reaffirming its prior decision to close the Center for repairs in light of, among other things, the additional materials provided to the Board subsequent to the August 13 meeting and due to the risk to the public and employees if the building is not closed for renovations. That resolution followed prior resolutions making clear it would only do so by all legal means, which includes the dissolution of the preliminary injunction currently in place.
8. Attached as Exhibit C is a true and correct copy of the preliminary minutes of the September 15, 2026 Board meeting, which includes the resolution the Board adopted at that meeting. The minutes are preliminary because they have not yet been presented to the Board for approval. However, from my own observation of the September 15 meeting, the preliminary minutes accurately reflect the discussions and content of that meeting.
9. Attached as Exhibit D is a true and correct copy of an addendum to the Delta Consulting Group’s “Construction Program Assessment Report” signed on September 15, 2026, by the report’s principal author, Darin Buchalter.

Executed in Washington, DC, on Friday, September 18, 2026.



Charles Matthew Floca

¹ Omitted appendices include: Appendix C, Appendix N, and Appendix P.