

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

DC PRESERVATION LEAGUE, *et al.*,

Plaintiffs,

vs.

UNITED STATES DEPARTMENT OF
THE INTERIOR, *et al.*,

Defendants.

Case No. 1:26-cv-477

**PLAINTIFFS' NOTICE OF CORRECTIONS REGARDING
PLAINTIFFS' POSITIONS ON DEFENDANTS' MOTION**

Plaintiffs submit this notice to correct Defendants' misstatement of Plaintiffs' positions on the relief sought in Defendants' Motion to Disqualify Judge and Release Audio (ECF 86).

At 6:50 pm on October 16, 2026, Defendants' counsel contacted Plaintiffs' counsel seeking, *inter alia*, Plaintiffs' position on forthcoming motions: (1) to "Disqualify/recuse and reassign the case to a new district court judge;" and (2) to "Post audio of October 12 TRO hearing on court website and lift prohibition on dissemination of same." Defendants' counsel requested Plaintiffs' positions by 7:30 pm, forty minutes later.

Plaintiffs' counsel replied at 7:28 pm, writing: "Please report our positions as follows:"

- On disqualification/recusal: "Plaintiffs oppose; we are aware of no basis for disqualification or recusal, and Defendants have not identified any such basis in this correspondence."
- On relief related to audio: "Plaintiffs take no position. Motions to depart from Standing Order 24-31 and Local Rule 83.1 should be left to the Court's discretion, and Plaintiffs do not believe that the views of the parties should be a factor in a decision whether to depart from those authorities."

Defendants' counsel confirmed receipt of Plaintiffs' positions at 7:30 pm. At 8:33 pm, 65 minutes after Plaintiffs provided their positions, Defendants filed their motion, and described Plaintiffs' position, in its entirety, as "Plaintiffs oppose this motion." That is an incomplete statement of the position Plaintiffs provided on the motion to recuse, and a wholly incorrect statement of the position Plaintiffs provided on the motion regarding the October 12 audio.

By October 16 Minute Order, the Court has directed Plaintiffs to respond to the motion by 2 pm on October 18. Plaintiffs will respond timely.

Dated: October 16, 2026

Respectfully Submitted,

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