

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

AMERICAN FEDERATION OF
GOVERNMENT EMPLOYEES, AFL-
CIO et al.,

Plaintiffs,

vs.

CHARLES EZZELL, ACTING
DIRECTOR, OFFICE OF PERSONNEL
MANAGEMENT, et al..

Defendants.

Civil Action No. 25-cv-10276

[PROPOSED] TEMPORARY RESTRAINING ORDER

Upon consideration of Plaintiffs' Emergency Application for a Temporary Restraining Order ("Application"), the Memorandum of Points and Authorities and Exhibits in support thereof, any opposition, any reply thereto and any oral argument, it is hereby **ORDERED** that Plaintiffs' Motion is **GRANTED**.

Plaintiffs have satisfied the necessary elements for issuing a Temporary Restraining Order under Fed. R. P. 65(b). In particular, Plaintiffs have established that they will likely succeed on the merits of their claim under the Administrative Procedure Act that the Fork in the Road Directive is arbitrary, capricious, and not in accordance with law, that they suffer irreparable harm absent relief, and that the balance of equities and the public interest weigh in favor of a Temporary Restraining Order. It is **FURTHER ORDERED** that the February 6th Deadline for federal employees to accept the Fork in the Road Directive is stayed, pending submission and resolution of Plaintiffs' upcoming motion for preliminary injunction.

It is **FURTHER ORDERED** that, within 24 hours of this Order, Defendants must provide written notice of this Order to all federal employees who have received the Directive and must notify the Court that they have done so within 48 hours of this Order.

The Court exercises its discretion not to require Plaintiffs to post a bond.

IT IS SO ORDERED.

DATE: _____, 2025

TIME: _____

U.S. District Court Judge

CERTIFICATE OF SERVICE

Counsel for Plaintiffs certify that they have sent—through Defendants’ counsel Christopher Hall at the U.S. Department of Justice Federal Programs Branch —notice of this motion after conferred in good faith with Defendants’ counsel concerning this motion before filing. Plaintiffs’ counsel will immediately send electronically copies of the filing to Defendants’ counsel and will serve subsequent registered participants electronically and paper copies will be sent to any non-registered participants.

Dated: February 5, 2025

/s/ Michael T. Anderson

Michael T. Anderson