

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MARYLAND**

UNITED STATES OF AMERICA,

Plaintiff,

v.

MARYLAND DEPARTMENT OF STATE  
POLICE,

Defendant.

Civil Action No.: 1:24-cv-2862

**CONSENT MOTION FOR CONTINUANCE OF  
FAIRNESS HEARING ON THE TERMS OF THE CONSENT DECREE  
AND RELATED DEADLINES**

Plaintiff United States of America (“United States”) respectfully moves the Court to continue the Fairness Hearing on the Terms of the Consent Decree, currently scheduled for March 10, 2025 (ECF No. 11), and the related deadline for filing objections to the terms of the consent decree and the Parties’ responses to objections, currently scheduled for February 28, 2025 (ECF No. 12 at ¶ 33), by at least ninety (90) days—to at least June 9, 2025 and May 29, 2025 respectively. Defendant Maryland Department of State Police (“MDSP”) consents to the relief requested.

1. Federal Rule of Civil Procedure 16(b)(4) provides that a schedule may be modified “for good cause and with the judge’s consent.”
2. On October 2, 2024, the United States filed its Complaint in this action. ECF No. 1. That same day, the Parties filed a Joint Motion for the Provisional Approval and Entry of a Consent Decree (ECF No. 2) and attached a proposed Consent Decree (ECF No. 2-2).

3. After a hearing on the Joint Motion (ECF No. 10) on November 8, 2024, the Court provisionally approved and entered the proposed Consent Decree and scheduled a Fairness Hearing on the Terms of the Consent Decree for March 10, 2025. ECF Nos. 11 and 12.

4. Since that time, a new President has taken office and the federal government has announced new orders and memoranda.

5. On January 20, 2025, President Trump issued an Executive Order on Ending Radical and Wasteful Government DEI Programs and Preferencing directing federal agencies to “align agency or department ... enforcement activities, contracts,... consent orders, and litigating positions with the policy of equal dignity and respect....” *See* Exec. Order No. 14151, 90 Fed. Reg. 8339 (Jan. 20, 2024).

6. On February 5, 2025, Attorney General Bondi issued a Memorandum for Department of Justice (“Department”) employees on Eliminating Internal Discriminatory Practices, requiring each component of the Department to “[r]ecommend actions to align Department ... enforcement activities, contracts,... consent orders, and litigating positions with [the] requirement of equal dignity and respect” by March 15, 2025. *See* Exhibit 1 (Memorandum on Eliminating Internal Discriminatory Practices).

7. Pursuant to these directives, the United States seeks this extension of time to assess whether and how the provisions of the proposed Consent Decree interact with the directives of the President and the Attorney General.

8. As required by the Consent Decree, the Parties have notified three groups of individuals of the Court’s provisional approval of the Consent Decree, their opportunity to object to the terms of the Consent Decree, and the date of the Fairness Hearing on the Terms of the

Consent Decree: (1) all potential claimants (*see* ECF No. 2-2 at ¶¶ 19, 22), (2) all incumbent MDSP troopers (*see id.* at ¶ 24), and (3) the public at large (*see id.* at ¶¶ 25-28).

9. Thus, if the Court grants the instant Motion for Continuance, the Parties will provide notice of the change in schedule. Specifically, upon rescheduling the Fairness Hearing on the Terms of the Consent Decree, (1) the United States will notify all potential claimants (as defined at ECF No. 2-2 at ¶ 19) and all individuals who submitted objections to the terms of the Consent Decree; (2) MDSP will notify all incumbent MDSP troopers; and (3) the Parties will notify the public at large through the settlement website they established through a claims administrator to provide information about the settlement ([www.MDSPsettlement.com](http://www.MDSPsettlement.com)), and through MDSP's website and all social media accounts that are regularly used by the MDSP.

10. It is the intent and understanding of the Parties that the deadlines and obligations regarding the development of MDSP's New Selection Devices, described in Section V.D. of the Consent Decree, will remain unaffected by the instant Motion.

For the foregoing reasons, the United States respectfully requests that the Court continue (a) the Fairness Hearing on the Terms of the Consent Decree, and (b) the related deadline for filing objections to the terms of the consent decree and the Parties' responses to objections, by at least ninety (90) days—to at least June 9, 2025 and May 29, 2025 respectively—to allow the United States to review and assess the proposed Consent Decree and confer with MDSP in light of this Administration's recent orders and directives.

Respectfully submitted this 25<sup>th</sup> day of February, 2025,

ANDREW McCOY WARNER  
Deputy Assistant Attorney General  
Civil Rights Division

PHILIP A. SELDEN  
Acting United States Attorney  
District of Maryland

KAREN D. WOODARD  
Chief  
Employment Litigation Section

HECTOR F. RUIZ, JR.  
Deputy Chief  
Employment Litigation Section

SARAH A. MARQUARDT  
Co-Chief, Civil Rights & Special Victims Section  
District of Maryland

*/s/ Emily Given*

---

EMILY GIVEN  
CHEYENNE N. CHAMBERS  
Senior Trial Attorneys  
Civil Rights Division  
United States Department of Justice  
950 Pennsylvania Avenue, NW  
Washington, DC 20530  
(202) 532-5696  
(202) 532-3850  
Emily.Given@usdoj.gov  
Cheyenne.Chambers@usdoj.gov

*/s/ Kimberly S. Phillips*

---

KIMBERLY S. PHILLIPS  
Assistant United States Attorney  
District of Maryland  
6500 Cherrywood Lane, Suite 200  
Greenbelt, MD 20770  
(410) 209-4800  
Kimberly.Phillips@usdoj.gov