

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

PFLAG, INC., et al.,

Plaintiffs,

v.

DONALD J. TRUMP, in his official capacity
as President of the United States, et al.,

Defendants.

Civil Action No. BAH-25-337

**PLAINTIFFS' REPLY MEMORANDUM IN SUPPORT OF THEIR
EMERGENCY MOTION TO ENFORCE PRELIMINARY INJUNCTION**

Based on Plaintiffs' likelihood of success on the merits and their showing of irreparable harm, this Court's preliminary injunction prohibited Defendants "from conditioning, withholding, or terminating federal funding under Section 3(g) of Executive Order 14,168 and Section 4 of Executive Order 14,187 based on the fact that a healthcare entity or health professional provides gender-affirming medical care to a patient under the age of nineteen" and from "tak[ing] any steps to implement, give effect to, or reinstate [those provisions of the Executive Orders] under a different name." Dkt. 116 at 1-2.

Defendants' notices to regulated parties are not examples of internal policy consideration or general statements of "potential health and safety concerns" regarding gender affirming medical care for minors. Defs.' Mem. 10. The notices are overt threats by Defendants that federal funding recipients risk losing their federal funding if they provide gender affirming medical care to a patient under the age of nineteen. The notices explicitly threaten that agencies are looking at "re-scoping, delaying, or potentially cancelling new grants" for entities that provide gender affirming medical care based on the very concerns that motivated the Executive Orders. And the notices even do so under the same name as one of the Executive Orders, "Protecting Children from

Chemical and Surgical Mutilation,” which belies Defendants’ suggestion that these notices are not simply a continuation of the Executive Orders’ provisions that this Court enjoined. Defendants’ threat to terminate funding is precisely what prompted the Court to issue the preliminary injunction, and Defendants’ renewed threats seek to perpetuate the same irreparable harm that this Court’s preliminary injunction was designed to prevent.

CONCLUSION

Plaintiffs’ emergency motion to enforce the preliminary injunction should be granted.

Dated: March 10, 2025.

Respectfully submitted,

Joshua Block*
Harper Seldin*
Chase Strangio*
Alexandra R. Johnson*
**American Civil Liberties Union
Foundation**
125 Broad Street, Floor 18
New York, NY 10004
Telephone: (212) 549-2500
Facsimile: (212) 549-2650
jblock@aclu.org
hseldin@aclu.org
cstrangio@aclu.org
a.johnson@aclu.org

Deborah A. Jeon (Fed. Bar No. 06905)
Zoe M. Ginsberg (Fed. Bar No. 30727)
**American Civil Liberties Union
Foundation of Maryland**
3600 Clipper Mill Road, Suite 200
Baltimore, MD 21211
Telephone: (410) 889-8555
Facsimile: (410) 366-7838
jeon@aclu-md.org
zginsberg@aclu-md.org

Catherine E. Stetson**

/s/ Omar Gonzalez-Pagan

Omar Gonzalez-Pagan*
Jennifer C. Pizer*
**Lambda Legal Defense
and Education Fund, Inc.**
120 Wall Street, 19th Floor
New York, NY 10005
Telephone: (212) 809-8585
Facsimile: (855) 535-2236
ogonzalez-pagan@lambdalegal.org
jpizer@lambdalegal.org

Karen L. Loewy*
**Lambda Legal Defense
and Education Fund, Inc.**
815 16th Street NW, Suite 4140
Washington, DC 20006
Telephone: (202) 804-6245
Facsimile: (855) 535-2236
kloewy@lambdalegal.org

Nora Huppert*
**Lambda Legal Defense
and Education Fund, Inc.**
3656 N. Halsted Street
Chicago, IL 60613
Telephone: (312) 605-3233

Danielle Desaulniers Stempel (Fed. Bar No. 20501, Facsimile: (855) 535-2236
Renewed 1/31/25) nhuppert@lambdalegal.org

Sam H. Zwingli*

Hogan Lovells US LLP

555 13th Street, N.W.

Washington, D.C. 20004

Telephone: (202) 637-5491

Facsimile: (202) 637-5910

cate.stetson@hoganlovells.com

danielle.stempel@hoganlovells.com

sam.zwingli@hoganlovells.com

Jackson Skeen***

Hogan Lovells US LLP

125 High Street

Suite 2010

Boston, MA 02110

Telephone: (617) 702-7747

Facsimile: (617) 371-1037

jackson.skeen@hoganlovells.com

Attorneys for Plaintiffs

**Application for admission pro hac vice granted.*

***Application for admission forthcoming.*

****Application for admission pro hac vice granted and admitted only in D.C. Supervised by principals of the firm admitted in Massachusetts.*

CERTIFICATE OF SERVICE

I hereby certify that the foregoing document was electronically filed using the Court's CM/ECF system. Service was effected by and through the Court's CM/ECF system.

Dated: March 10, 2025

/s/ Omar Gonzalez-Pagan
Omar Gonzalez-Pagan