

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MARYLAND  
SOUTHERN DIVISION**

American Federation of Teachers, *et al.*,

*Plaintiffs,*

vs.

SCOTT BESSENT, in his official capacity as  
Secretary of the Treasury, *et al.*,

*Defendants.*

Case No. 8:25-cv-00430-DLB

Judge: Hon. Deborah Boardman

**PLAINTIFFS' MOTION FOR EXTRA-RECORD DISCOVERY**

Pursuant to this Court’s February 26, 2025 Order, *see* ECF No. 46, and Federal Rules of Civil Procedure 26 and 65, Plaintiffs American Federation of Teachers, International Association of Machinists and Aerospace Workers, National Active and Retired Federal Employees Association, National Federation of Federal Employees, International Federation of Professional & Technical Engineers, Donald Martinez, Jason Cain, Clifford Grambo, Thomas Fant, Christopher Purdy, and Kristofer Goldsmith (collectively, “Plaintiffs”) hereby move for an order converting the temporary restraining order into a preliminary injunction and scheduling discovery: (1) as to Defendants Charles Ezell, the United States Office of Personnel Management, Denise L. Carter, and the United States Department of Education, within three months of this order, followed by a hearing on Plaintiffs’ forthcoming motion for summary judgment and permanent injunctive relief; and (2) as to Defendants Scott Bessent and the United States Department of the Treasury, within three weeks of this order, followed by a hearing on Plaintiffs’ forthcoming motion for a preliminary injunction.

As set forth in further detail in the accompanying memorandum, such relief is necessary in light of Defendants’ manifestly deficient administrative record.

DATED: March 8, 2025

By: /s/Xiaonan April Hu

Xiaonan April Hu (*pro hac vice*)  
MUNGER, TOLLES & OLSON LLP  
601 Massachusetts Avenue NW  
Washington, DC 20001  
(202) 220-1123  
April.Hu@mto.com

John L. Schwab (*pro hac vice*)  
Liam Gennari (*pro hac forthcoming*)  
MUNGER, TOLLES & OLSON LLP  
350 S Grand Ave 50th Floor  
Los Angeles, California 90071  
(213) 683-9260  
John.Schwab@mto.com

Carson Scott (*pro hac vice*)  
Roman Leal (*pro hac vice*)  
MUNGER, TOLLES & OLSON LLP  
560 Mission Street, Twenty-Seventh Floor  
San Francisco, California 94105-2907  
(415) 512-4000  
Carson.Scott@mto.com  
Roman.Leal@mto.com

Mark Hanna (Fed. Bar No. 16031)  
David J. Rodwin (Fed. Bar No. 18615)  
MURPHY ANDERSON, PLLC  
1401 K Street NW, Suite 300  
Washington, DC 20005  
T: (202) 223-2620 | F: (202) 296-9600  
mhanna@murphypllc.com  
drodwin@murphypllc.com

Daniel McNeil (*pro hac vice*)  
General Counsel  
American Federation of Teachers, AFL-CIO  
555 New Jersey Ave. NW  
Washington, DC 20001  
T: (202) 393-6305 | F: (202) 393-6385  
dmcneil@aft.org

Benjamin L. Berwick (*pro hac* forthcoming)  
PROTECT DEMOCRACY PROJECT  
15 Main Street, Suite 312  
Watertown, MA 02472  
(202) 579-4582  
ben.berwick@protectdemocracy.org

Jessica A. Marsden (*pro hac vice*)  
PROTECT DEMOCRACY PROJECT  
510 Meadowmount Village Circle, No. 328  
Chapel Hill, NC 27517  
(202) 579-4582  
jess.marsden@protectdemocracy.org

Kristy Parker (*pro hac vice*)  
Jane Bentrott (*pro hac vice*)  
Shalini Goel Agarwal (*pro hac vice*)  
PROTECT DEMOCRACY PROJECT  
2020 Pennsylvania Ave. NW, Suite 163  
Washington, DC 20006  
202-843-3092  
kristy.parker@protectdemocracy.org  
jane.bentrott@protectdemocracy.org  
shalini.agarwal@protectdemocracy.org

Laurence M. Schwartztol (*pro hac vice*)  
DEMOCRACY AND RULE OF LAW CLINIC  
Harvard Law School 1525 Massachusetts Avenue  
Cambridge, MA 02138 (617) 998-1877  
lschwartztol@law.harvard.edu