

**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

Date: March 17, 2025

Time: 10:30am

Place: Greenbelt Courthouse

Judge: Hon. Deborah Boardman

PLAINTIFFS' MOTION FOR PRELIMINARY INJUNCTION

Pursuant to Federal Rule of Civil Procedure 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 a preliminary injunction. Plaintiffs respectfully request that the Court enjoin Defendants Scott Bessent, the United States Department of the Treasury (“Treasury”), Charles Ezell, the United States Office of Personnel Management (“OPM”), Denise L. Carter, and the United States Department of Education (“Education”) from disclosing the personally identifiable information of Plaintiffs to any Department of Government Efficiency (“DOGE”) affiliates,¹ including by providing access to systems of records, sharing records contained within those systems, or otherwise disclosing the substance of such records to DOGE affiliates. Plaintiffs also request that the Court order Defendants to make the following witnesses available for questioning during the March 17, 2025, hearing, to the extent the Court denies—in whole or in part—Plaintiffs’ Motion for Extra-Record Discovery, ECF Nos. 53, 53-1:

- Joseph Gioeli, III (Department of Treasury)
- Adam Ramada (DOGE, Department of Education)
- Thomas Flagg (Department of Education)
- Charles Ezell (Office of Personnel Management)
- Greg Hogan (Office of Personnel Management)

¹ As used here and in Plaintiffs’ Memorandum in Support of Plaintiffs’ Motion for Preliminary Injunction, DOGE affiliates refers to (i) personnel at Treasury, Education, and OPM who are working on the DOGE agenda, as defined in ECF No. 38 at 5 n.2; and (ii) Defendant agency employees working principally on the DOGE agenda who have been granted access to Defendants’ records for the principal purpose of implementing the DOGE agenda (other than OPM Chief Information Officer Greg Hogan).

As set forth in further detail in the accompanying memorandum, Defendants have unlawfully provided access to their respective systems of records and to Plaintiffs' personally identifiable information contained within to DOGE affiliates, in violation of the Privacy Act of 1974. Defendants' actions should be enjoined under the Administrative Procedure Act because they are unlawful, arbitrary and capricious, and in excess of their statutory authority. Plaintiffs will suffer imminent and irreparable injury if (1) the temporary restraining order previously entered by this Court as to OPM and Education Defendants, ECF No. 38, expires with no preliminary injunction in place and (2) preliminary injunctive relief is not granted as to Treasury Defendants.

DATED: March 10, 2025

By: /s/Xiaonan April Hu

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