

Exhibit J

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IN THE 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.)

CIVIL NO.:
8:25-cv-00430-DLB

Greenbelt, Maryland
February 26, 2025

TRANSCRIPT OF PROCEEDINGS
STATUS CONFERENCE
BEFORE THE HONORABLE DEBORAH L. BOARDMAN
Via Teleconference

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A P P E A R A N C E S (Cont'd)

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1 manifestly incomplete and would not facilitate meaningful
2 judicial review under the circumstances.

3 **THE COURT:** Okay. Ms. Hall, do you care to be heard
4 on this particular issue?

5 **MS. HALL:** Your Honor, I think on this point, we
6 would still favor the -- on the first point that Ms. Hu raised,
7 we would be fine with the schedule of briefing on the 10th, the
8 13th and 14th in order to have a March 17th hearing. That
9 schedule is acceptable to the Government.

10 As to the discovery issue, plaintiffs could argue about
11 the incompleteness of the administrative record in their merits
12 section of the preliminary injunction brief. If they think
13 that the record that we have provided to sustain the agency's
14 decision is insufficient, that's the core of APA review. So if
15 they believe that we have provided an insufficient basis for
16 the agency action, that would be a reason to grant the
17 preliminary injunction and enjoin the agency action.

18 **THE COURT:** Ms. Hu.

19 **MS. HU:** Your Honor, I think our concern here is that
20 we understand defendant's position to be they will assemble an
21 administrative record ex post facto where they get to decide
22 effectively what they want to give us. But courts have been
23 clear that an agency "may not unilaterally determine what
24 constitutes the administrative record." I can certainly
25 provide the Court with citations for that.

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MS. HU: Thank you, Your Honor.
(Proceedings concluded at 12:08 p.m.)

CERTIFICATE OF OFFICIAL REPORTER

I, Patricia G. Mitchell, RMR, CRR, do hereby certify that the foregoing is a correct transcript of the audio-recorded proceedings in the above-entitled matter, audio recorded via FTR Gold on February 26, 2025, and transcribed from the audio recording to the best of my ability and that said transcript has been compared with the audio recording.

Dated this 3rd day of March 2024.

Patricia G. Mitchell

Patricia G. Mitchell
Official Court Reporter