

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

MARYLAND, *et al.*,

*

Plaintiffs,

*

v.

*

UNITED STATES DEPARTMENT OF
AGRICULTURE, *et al.*,

*

Case No. 1:25-cv-00748-JKB

*

Defendants.

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MOTION FOR TEMPORARY RESTRAINING ORDER

Plaintiffs, through counsel, move for a temporary restraining order as set forth below and for the reasons set forth in the accompanying Memorandum of Law in Support of Plaintiffs' Motion for a Temporary Restraining Order. Fed. R. Civ. P. 65(a), (b). Plaintiffs seek to restrain and enjoin Defendants, from terminating federal probationary employees without making specific, individualized determinations regarding the inadequacy of the employee's conduct or performance, or without complying with requirements applicable to Reductions in Force procedures. Plaintiffs further seek an order reinstating probationary employees unlawfully fired by Defendants, and an order compelling Defendants to file a status report with the Court within 48 hours, and at regular intervals thereafter, identifying terminated probationary employees and describing the steps Defendants have taken to comply with the Court's Order.

The requested relief is warranted because Plaintiffs are likely to show that the Defendants' actions violate the Administrative Procedure Act and are *ultra vires*; Defendants' ongoing, unlawful mass firings of federal probationary employees are causing Plaintiff States irreparable injury in multiple ways; and the balance of hardships and the public interest are both in Plaintiffs' favor.

WHEREFORE, Plaintiffs request that the Court enter an order:

- A. Temporarily restraining Defendants from terminating federal probationary employees without making specific, individualized determinations regarding the inadequacy of the employee's conduct or performance;
- B. Compelling Defendants to reinstate federal probationary employees fired on or after January 20, 2025, as part of mass terminations that did not comply with RIF procedures and were not based on individual determinations of conduct or performance;
- C. Requiring Defendants to file a status report with the Court within 48 hours, and at regular intervals thereafter, identifying under seal all probationary employees terminated on or after January 20, 2025 (including the following information for each employee: agency, name, position title, grade, termination date, whether the probationary employee has been reinstated, and the date of any reinstatement) and describing all steps Defendants have taken to comply with the Court's Order.

Respectfully submitted,

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** Pro hac vice application
forthcoming
**Application for admission
pending*

March 7, 2025

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CERTIFICATE OF SERVICE

I certify that, on this 7th day of March, 2025 the motion for temporary restraining order, supporting memorandum of law and proposed order were served by CM/ECF on all registered CMF users and by first-class mail on the following:

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