

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK**

MOMODOU TAAL, MŪKOMA WA NGŪĠĪ,
and SRIRAM PARASURAMA,

Plaintiffs,

v.

DONALD J. TRUMP, in his official capacity as
President of the United States; U.S.
DEPARTMENT OF HOMELAND SECURITY;
and KRISTI NOEM, in her official capacity as
Secretary of the U.S. Department of Homeland
Security;

Defendants.

Civil Action No. 3:25-cv-335 (EEC/ML)

**PLAINTIFFS' MOTION FOR PRELIMINARY INJUNCTION AND TEMPORARY
RESTRAINING ORDER**

Pursuant to Fed. R. Civ. P. 65(a), Plaintiffs Momodou Taal, Mŭkoma Wa Ngŭġĭ, and Sriram Parasurama move for a temporary restraining order and/or preliminary injunction against Defendants Donald Trump, the United States Department of Homeland Security (“DHS”), and DHS Secretary Kristi Noem.

This action seeks to enjoin Defendants from enforcing parts of two executive orders – Executive Order 14161, “Protecting the United States from Foreign Terrorists and Other National Security and Public Safety Threats,” 90 Fed. Reg. 8451 (Jan. 30, 2025), (“EO 1”), and Executive Order 14188, “Additional Measures to Combat Anti-Semitism,” 90 Fed. Reg. 8847 (Feb. 3, 2025), (“EO 2”). The unprecedented and sweeping character of each order, combined with the threat of imminent enforcement, has unconstitutionally prohibited Plaintiffs, a group of students and professors at Cornell University, from speaking or hearing views critical of the U.S. government

or the government of Israel, on penalty of criminal prosecution or deportation. The First and Fifth Amendments to the U.S. Constitution require the orders be partly enjoined.

This motion is based on the complaint on file in this action, this motion, the accompanying brief, any further briefings and oral arguments of counsel, and such other and further matters as may be presented to the Court.

Absent the issuance of a temporary restraining order or preliminary injunction, Plaintiffs will suffer irreparable injury because their First Amendment rights to speech and association will have been violated. The balance of equities tips in favor of Plaintiffs, and the reasonable, unintrusive relief they seek will serve the public interest by protecting the First Amendment.

Local Rule 65.1 requires Plaintiffs to serve an application for a Temporary Restraining Order on all other Parties unless permitted by Fed. R. Civ. P. 65. Pursuant to Fed. R. Civ. P. 65, attached as Exhibits to this motion are affidavits from Plaintiffs demonstrating the immediate and irreparable harm they will experience before Defendants can be heard in opposition. Because this motion was filed shortly after Plaintiffs filed this complaint, no attorney for Defendants has entered an appearance that would facilitate notice.

Dated: March 15, 2025

Respectfully submitted,

s/ Eric Lee

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**pro hac vice* forthcoming
[†]admission pending