

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS**

**Space Exploration Technologies Corp.,**

*Plaintiff,*

v.

**Carol Bell, in her official capacity as  
Administrative Law Judge of the Office of  
the Chief Administrative Hearing Officer,  
et al.,**

*Defendants.*

Civil Action No. 1:23-cv-00137

**UNOPPOSED MOTION TO LIFT PRELIMINARY INJUNCTION FOR LIMITED PURPOSE**

On November 8, 2023, this Court issued a preliminary injunction order staying the administrative proceeding, *United States v. Space Exploration Techs. Corp.*, No. 2023B00082 (OCAHO filed Aug. 23, 2023), that Plaintiff is challenging in this case. *See* First Am. Compl. ¶ 2, ECF No. 31; Order at 9 (Nov. 8, 2023), ECF No. 28. The parties' cross-motions for summary judgment are currently pending before the Court. ECF Nos. 35, 36, 45, 46. On January 19, 2025, Defendants filed an Unopposed Motion to Stay Case for 45 Days to enable the Department of Justice to explore actions that could resolve this case. ECF No. 47. The Court subsequently stayed this case and ordered the parties to file a joint status report by March 7, 2025. ECF No. 48. The anticipated actions referenced below will resolve all claims in the administrative proceeding that is the subject of this lawsuit.

Defendants respectfully request that the Court lift the stay on the administrative proceeding for 30 days solely for the purpose of allowing the Department of Justice's Civil Rights Division to file a notice of dismissal of the administrative proceeding with prejudice and to allow the Office

of the Chief Administrative Hearing Officer to process the notice. If the administrative proceeding has been dismissed by the end of the 30-day period, Defendants will promptly move to dismiss this case on mootness grounds, and SpaceX will not oppose that relief.

Dated: February 20, 2025

Respectfully submitted,

*Counsel for Defendants:*

NICHOLAS J. GANJEI  
United States Attorney

BRETT A. SHUMATE  
Principal Deputy Assistant Attorney General

DANIEL DAVID HU  
Chief, Civil Division

CHRISTOPHER HALL  
Assistant Director, Federal Programs Branch

/s/ Benjamin S. Lyles

BENJAMIN S. LYLES  
Southern District No. 3062156  
Texas Bar No. 24094808  
Assistant United States Attorney  
Attorney in Charge  
1701 W. Bus. Highway 83, Suite 600  
McAllen, TX 78501  
Benjamin.Lyles@usdoj.gov

/s/ Cynthia Liao

KUNTAL CHOLERA (D.C. Bar No. 1031523)  
Trial Attorney, Attorney in Charge  
CYNTHIA LIAO (CA Bar No. 301818)  
Trial Attorney  
U.S. Department of Justice  
Civil Division, Federal Programs Branch  
1100 L Street, NW  
Washington D.C. 20005  
Kuntal.Cholera@usdoj.gov  
Telephone: (202) 305-8645  
Cynthia.F.Liao@usdoj.gov  
Telephone: (202) 531-1325  
Fax: (202) 616-8470

*Counsel for Plaintiff:*

/s/ Laura Warrick (with permission)

Laura Warrick  
Attorney-in-Charge  
Texas Bar No. 24079546  
Southern District of Texas Bar No. 3437415  
AKIN GUMP STRAUSS HAUER & FELD LLP  
2300 N. Field Street, Suite 1800  
Dallas, TX 75201  
Telephone: (214) 969-4770  
Facsimile: (214) 969-4343  
lwarrick@akingump.com

James E. Tysse (*pro hac vice*)

Of Counsel

D.C. Bar No. 978722

Charles F. Connolly (*pro hac vice*)

Of Counsel

D.C. Bar No. 455969

AKIN GUMP STRAUSS HAUER & FELD LLP

2001 K Street, N.W.

Washington, D.C. 20006

Telephone: (202) 887-4000

Facsimile: (202) 887-4288

[jtysse@akingump.com](mailto:jtysse@akingump.com)