UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

AMERICAN FEDERATION OF LABOR AND CONGRESS OF INDUSTRIAL ORGANIZATIONS,
815 Black Lives Matter Plaza NW,
Washington, DC 20006.

AMERICAN FEDERATION OF GOVERNMENT EMPLOYEES, AFL-CIO,
80 F Street NW,
Washington, D.C. 20001,

AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES, AFL-CIO,
1625 L Street, NW,
Washington, D.C. 20036,

SERVICE EMPLOYEES INTERNATIONAL UNION, AFL-CIO,
1800 Massachusetts Ave. NW,
Washington, DC 20036,

COMMUNICATION WORKERS OF AMERICA, AFL-CIO
501 3rd Street, NW, 6th Floor
Washington, DC 20001,

ECONOMIC POLICY INSTITUTE
1225 I St NW #600
Washington, DC 20005

Plaintiffs,

vs.

DEPARTMENT OF LABOR
200 Constitution Ave., NW,
Washington, DC 20210

VINCE MICONE, in his official capacity as Acting Secretary, Department of Labor
200 Constitution Ave., NW,

Case No. 1:25-cv-00339

RETRIEVED FROM DEMOCRACYDOCKET.COM

Washington, DC 20210

U.S. DIGITAL SERVICE (U.S. DOGE SERVICE)
736 Jackson Pl NW,
Washington, DC 20503

U.S. DOGE SERVICE TEMPORARY ORGANIZATION
736 Jackson Pl NW,
Washington, DC 20503

Defendants.

PLAINTIFFS' MOTION FOR A TEMPORARY RESTRAINING ORDER

Pursuant to Local Civil Rule 65.1(a), Plaintiffs American Federation of Labor and Congress of Industrial Organizations ("AFL-CIO"), American Federation of Government Employees ("AFGE"), American Federation of State, County & Municipal Employees, AFL-CIO ("AFSCME"), Service Employees International Union, AFL-CIO ("SEIU"), Communications Workers of America, AFL-CIO ("CWA"), and Economic Policy Institute ("EPI") hereby move for a temporary restraining order (1) enjoining the Department of Labor from granting DOGE-affiliated personnel access to Department of Labor systems or information, except as consistent with all applicable law, or otherwise allowing DOGE-affiliated personnel to take action in excess of statutory authority; (2) enjoining all Defendants from taking any adverse personnel action against any employee who refuses to provide DOGE-affiliated personnel with unlawful access to Department of Labor systems or information; and (3) enjoining all Defendants from providing any person with non-public Department of Labor information or access to such systems or information regarding his or her business interests or direct competitors to his or her business interests; and (4) requiring all Defendants to file a status report within 24 hours of the issuance of this order indicating whether any DOGE-affiliated personnel

RETRIEVED FROM DEMOCRACYDOCKET.COM

have access to any Department of Labor systems, including which personnel have access to which systems, to be submitted every two weeks thereafter for 12 weeks, and confirming compliance with this order.

Pursuant to Local Civil Rule 65.1(a), at 12:41 p.m. on February 5, 2025, counsel for Plaintiffs emailed the three Assistant Directors for the Federal Programs Branch of the Department of Justice to provide actual notice that they would file a new complaint accompanied by a motion for a temporary restraining order with respect to DOGE's access to the Department. The Department of Justice acknowledged receipt of this notice at 12:54 p.m.

Counsel emailed the three Assistant Directors of the Federal Programs Branch immediately prior to making this application to the Court, and provided them with electronic copies of the complaint, motion for temporary restraining order, and accompanying brief, declarations, and proposed order via e-mail before completing this electronic filing.

Plaintiffs respectfully request relief before 5 pm today, February 5, 2025.

RETRIEVED FROM DEMOCRACYDOCKET.COM

Dated: February 5, 2025

Respectfully submitted,

/s/ Mark B. Samburg
Mark B. Samburg (D.C. Bar No. 1018533)
Aman T. George (D.C. Bar No. 1028446)
Benjamin Seel (D.C. Bar No. 1035286)
Rachel F. Homer (D.C. Bar No. 1045077)
Robin F. Thurston (D.C. Bar No. 462679)
Somil B. Trivedi (D.C. Bar No. 1617967)
Skye L. Perryman (D.C. Bar No. 984573)*
DEMOCRACY FORWARD FOUNDATION
P.O. Box 34553
Washington, D.C. 20043
Telephone: (202) 448-9090
Fax: (202) 796-4426
msamburg@democracyforward.org
ageorge@democracyforward.org
bseel@democracyforward.org

rhomer@democracyforward.org
rthurston@democracyforward.org
strivedi@democracyforward.org
sperryman@democracyforward.org
Counsel for Plaintiffs

Teague P. Paterson (D.C. Bar No. 144528)
Matthew S. Blumin (D.C. Bar No. 144528)
AMERICAN FEDERATION OF STATE, COUNTY, AND MUNICIPAL EMPLOYEES, AFL-CIO
1625 L Street N.W.
Washington, DC 20036
Telephone: (202) 775-5900
Facsimile: (202) 452-0556
tpaterson@afscme.org
mblumin@afscme.org
Counsel for American Federation of State, County, and Municipal Employees, AFL-CIO (AFSCME)

Rushab B. Sanghvi (D.C. Bar No. 1012814)
AMERICAN FEDERATION OF GOVERNMENT EMPLOYEES, AFL-CIO
80 F Street N.W.
Washington, DC 20001
Telephone: (202) 639-6426
Facsimile: (202) 329-2928
SanghR@afge.org
Counsel for Plaintiff American Federation of Government Employees, AFL-CIO (AFGE) and Local 3707

Steven K. Ury* (D.C. Bar 1643947)
SERVICE EMPLOYEES INTERNATIONAL UNION
1800 Massachusetts Avenue, NW,
Legal Department, 6th Floor,
Washington, DC 20036
Telephone: (202) 730-7428
steven.ury@seiu.org
Counsel for Plaintiff Service Employees International Union

*motion to appear *pro hac vice* forthcoming

RETRIEVED FROM DEMOCRACYDOCKET.COM