IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

LEAGUE OF UNITED LATIN AMERICAN CITIZENS, et al., Plaintiffs, v. EXECUTIVE OFFICE OF THE PRESIDENT, et al., Defendants.	Civil Action No. 25-cv-0946 (CKK)
DEMOCRATIC NATIONAL COMMITTEE, et al., Plaintiffs, v. DONALD J. TRUMP, in his official capacity as President of the United States, et al., Defendants.	Civil Action No. 25-cv-0952 (CKK)
LEAGUE OF WOMEN VOTERS EDUCATION FUND, et al., Plaintiffs, v. DONALD J. TRUMP, in his official capacity as President of the United States, et al., Defendants.	Civil Action No. 25-cv-0955 (CKK)

DEMOCRATIC PARTY PLAINTIFFS' MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT OF MOTION TO COMPEL RESPONSES TO INTERROGATORIES

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INTRODUCTION

The Democratic Party Plaintiffs and LULAC Plaintiffs jointly served targeted, court-authorized interrogatories seeking essential information as to whether and how the federal agency Defendants in this case are implementing the President's Executive Order 14248. Rather than responding to these timely-served discovery requests, Defendants waited until the last minute to send a one-paragraph email asserting boilerplate objections that violate the Federal Rules of Civil Procedure and this Court's scheduling order. Plaintiffs promptly responded, making clear repeatedly that Rule 33 requires that objections be made with "specificity." Fed. R. Civ. P. 33(b)(4). But Defendants' response deadline came and went, without further elaboration, much less a timely, substantive response. To this day, Defendants have failed to serve a single interrogatory response or make any specific objection to a particular interrogatory.

Defendants' objections should be overruled and their responses compelled. Plaintiffs' interrogatories seek relevant information and are proportional to the needs of this case, which concerns an Executive Order commanding nearly a dozen federal agencies to impose sweeping changes on American elections. In substance, the interrogatories amount to 19 total questions posed to ten different agencies about their implementation of numerous provisions of the Executive Order. To the extent Defendants object based on their view that the number of interrogatories served is too high, they are wrong as a matter of law. If anything, the number is modest, given the broad scope of the President's order and the number of agencies it marshals to carry out his commands. Moreover, each interrogatory merely asks Defendants to provide information that this Court has already ordered disclosed—information necessary to "discern the existence *vel non* of final agency actions and the contours of the precise policy at issue in [Plaintiffs'] claims." ECF No. 141 at 2 (internal quotation marks and citation omitted). Tellingly, Defendants have never

claimed that any *specific* interrogatory is improper, save one that their correspondence misquotes. Their categorical refusal to provide responses or specific objections by this Court's July 11, 2025 deadline runs headlong into Rule 33's requirement that "[e]ach interrogatory must, to the extent it is not objected to, be answered separately and fully in writing under oath." Fed. R. Civ. P. 33(b)(3).

Defendants' refusal to provide any information about their implementation efforts, however, does not mean that such action is not occurring. Public reports have offered a narrow glimpse of how certain agencies are beginning to implement the Executive Order, *see infra* Background § IV, but Plaintiffs require—and this Court has already ordered—more substantial discovery to discern the "contours" of these efforts, not merely whatever leaks to the public.

The Court should not abide Defendants' failure to comply with its scheduling order and the Federal Rules. Their refusal to engage in the Court-ordered discovery process means they have waived any specific objections to Plaintiffs' interrogatories and the general objections they have improperly made can be dispatched. The Court should therefore grant Plaintiffs' motion to compel and order Defendants to promptly serve complete answers to each of Plaintiffs' interrogatories.[1]

BACKGROUND

I. Plaintiffs promptly challenged President Trump's executive order.

On March 25, 2025, President Trump issued Executive Order 14248, titled *Preserving and Protecting the Integrity of American Elections* ("Executive Order" or "Order"). The Executive Order seeks to impose changes on how Americans register to vote and cast ballots. *See generally*

[1] The Democratic Party Plaintiffs do not presently seek amendment of the Phase Two summary judgment briefing schedule. *See* ECF No. 141 at 3. That schedule calls for Defendants to file their opening brief on August 15, with Plaintiffs' responses due on September 5. Nonetheless, the Democratic Party Plaintiffs note that schedule leaves little room for delay and that further obstruction by Defendants may necessitate modifications to the Phase Two schedule.

Democratic Nat'l Comm. v. Trump, No. 25-cv-0952-CKK (D.D.C. Mar. 31, 2025), ECF No. 1 ("*DNC* Compl.") ¶¶ 71-101 (describing scope of the Executive Order).

As relevant here, the Executive Order requires a vast array of federal agencies to undertake several discrete actions. Section 2 alone (i) commands the Election Assistance Commission (EAC) to make changes to the national voter registration form (Federal Form); (ii) directs the Department of State (DOS), Department of Homeland Security (DHS), and the Department of Government Efficiency (DOGE) to make certain data available for purposes of investigating the citizenship of registered voters; and (iii) requires federal voter registration agencies, such as DHS, the Department of the Interior (DOI), Small Business Administration (SBA), and Department of Veterans Affairs (VA), to "assess citizenship" of enrollees in public assistance programs before offering them the Federal Form. *See DNC* Compl., Ex. A at 3–4.

Other sections of the Executive Order issue additional, far-ranging edicts to these agencies and others, including the Department of Defense (DOD), Department of Justice (DOJ), and Social Security Administration (SSA). These discrete policy directives demanded by the President include requiring SSA to share data with state and local officials (Sec. 3(a)), requiring DOD to revise the Federal Postcard Application for military and overseas voters (Sec. 3(d)), requiring EAC to revise federal standards for voting systems (Sec. 4(b)), and requiring DOJ and EAC to enforce a uniform mail ballot receipt deadline (Sec. 7). *See id.*, Ex. A at 4–6. In total, the Executive Order tasks nearly a dozen federal agencies with carrying out its sweeping commands.

Three groups of Plaintiffs, including the Democratic Party Plaintiffs, promptly filed suit in this District seeking injunctive and declaratory relief against several provisions of the Executive

Order.[2] On April 24, 2025, the Court preliminarily enjoined enforcement of Sections 2(a) and 2(d) of the Executive Order, while declining to enjoin other sections, largely due to the need for "further factual development." ECF No. 104 at 83, 86; *see generally* ECF Nos. 103, 104. In the wake of the Court's order, at least eight other challenged provisions of the Executive Order—Sections 2(b), 3(a), 3(d), 4(a), 4(b), 4(c), 7(a), 7(b)—remain in dispute and have not been enjoined. *See* DNC Compl., Prayer for Relief.

II. The Court scheduled expedited discovery regarding Defendants' implementation of the Executive Order.

On June 20, 2025, the Court set a briefing schedule on Plaintiffs' remaining challenges that specifically permitted targeted discovery into Defendants' implementation efforts. *See* ECF No. 141. As relevant here, the Court's order provides as follows:

> In order to efficiently resolve issues regarding the ripeness and justiciability of certain of Plaintiffs' claims, the Democratic Party Plaintiffs and LULAC Plaintiffs may propound targeted factual interrogatories on the federal agency defendants to discern the existence *vel non* of final agency actions and the contours of the precise policy at issue in their claims.

Id. at 2 (internal quotation marks, citation, and footnotes omitted). The Court then set a prompt schedule for Plaintiffs' service of interrogatories by June 27, 2025, Defendants' responses by July 11, 2025, and any necessary motion practice to follow. *Id.*[3]

Plaintiffs timely served interrogatories in accordance with the Court's schedule. They directed their interrogatories to ten agency defendants responsible for carrying out the Executive Order: DOJ, DHS, DOI, DOS, EAC, SBA, VA, SSA, DOGE, and DOD. *See* Ex. A

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[2] *See DNC* Compl.; Compl., ECF No. 1 ("*LULAC* Compl."); *League of Women Voters Educ. Fund v. Trump*, No. 25-cv-0955 (D.D.C. Apr. 1, 2025), ECF No. 1 ("*LWV* Compl.").

[3] This Court's Order Establishing Procedures for Civil Cases separately requires parties in a discovery dispute to contact chambers via email to advise the Court of the nature of the dispute. *See* ECF No. 8 at 4. The parties sent such an email to Chambers on July 17, 2025.

(Interrogatories). Plaintiffs sent a separate set of interrogatories to each of these agencies, although many of the interrogatories are the same across agencies. For example, each set begins with the same two identical interrogatories (the "Global Interrogatories"). The first asks the agency to "summarize" "non-privileged communications" concerning "actions or efforts" to implement the Executive Order, including communications with other federal, state, or local officials. *See, e.g.*, *id.* at 6, 15, 24, 34, 43, 52, 61, 69, 78, 86. The second asks for a description of "all actions or efforts" underway or planned to "implement the Executive Order," to include who within the agency is responsible for taking such action and which part of the Executive Order the action implements. *Id.* Beyond the two Global Interrogatories, each set contains interrogatories concerning the specific Executive Order provisions that each recipient agency is charged with implementing.[4] All are narrowly focused on the subject of this expedited discovery: "the existence *vel non* of final agency actions and the contours of the precise policy at issue in [Plaintiffs'] claims." ECF No. 141 at 2 (internal quotation marks and citation omitted). These agency- and provision-specific interrogatories are briefly summarized below by provision.

Section 2(b) Interrogatories. The Democratic Party Plaintiffs served four interrogatories asking DHS to describe (1) the databases that have been or will be used to investigate citizenship status, (2) the information that is contained in those databases, (3) any data that has been or will be shared with DOGE, and (4) any actions taken to update the Systemic Alien Verification for Entitlements platform ("SAVE") (which, to date, is the only database DHS has confirmed as

[4] The LULAC Plaintiffs joined the two Global Interrogatories as to all ten agencies, as well as EAC Interrogatories Nos. 3, 4, and 7; DOJ Interrogatories Nos. 6 and 7; and DOD Interrogatories Nos. 4 and 5. The remaining Interrogatories were served exclusively by the Democratic Party Plaintiffs, whose complaint challenges several provisions of the Executive Order not subject to the LULAC Plaintiffs' complaint, including those involving personal data held by federal agencies.

relevant to this provision of the Executive Order). *See* Ex. A at 24–25. The Democratic Party Plaintiffs served DOGE two of the same interrogatories and served DOS three of the same interrogatories. *See id.* at 15–16; *id.* at 6–7.

Section 2(d) Interrogatories. The Democratic Party Plaintiffs served on DOI, SBA, VA, and DOD a single interrogatory asking for a description of any efforts to assess the citizenship status of enrollees in public assistance programs, as required by Section 2(d). *See* Ex. A at 34, 61, 78, 86.

Section 3(a) Interrogatories. The Democratic Party Plaintiffs served three interrogatories asking SSA for (1) a description of its efforts to expand or alter SAVE—which, according to DHS, now includes or accesses SSA data,[5] (2) a description of databases or systems, and (3) identification of any state or local officials who have received SSA information. *See* Ex. A at 69–70.

Section 3(d) Interrogatories. The Democratic Party Plaintiffs and LULAC Plaintiffs served two interrogatories on DOD asking the agency to (1) describe any efforts to update the Federal Post Card Application, and (2) describe any rules or guidance provided to states on how to review a completed Federal Post Card Application. *See* Ex. A at 34–35.

Section 4(a) Interrogatories. The Democratic Party Plaintiffs served two interrogatories asking EAC asking to (1) describe its efforts to withhold funds from states that fail to require documentary proof of citizenship ("DPOC") from voters using the Federal Form, and (2) identify any states that have acquiesced to funding restrictions. *See* Ex. A at 6–7.

[5] *See* Press Release, U.S. Dep't of Homeland Sec., *DHS, USCIS, DOGE Overhaul Systematic Alien Verification for Entitlements Database* (April 22, 2025), https://perma.cc/57Q4-36R5.

Section 4(b) Interrogatories. The Democratic Party Plaintiffs served two interrogatories asking EAC to describe (1) its efforts to amend the Voluntary Voting System Guidelines 2.0 and (2) its efforts to conduct HAVA audits. *See* Ex. A at 7.

Section 4(d) Interrogatories. The Democratic Party Plaintiffs served a single interrogatory asking DHS to describe its efforts to withhold or limit funds to states based on compliance with the Voluntary Voting System Guidelines 2.0. *See* Ex. A at 25–26.

Section 7 Interrogatories. The Democratic Party and LULAC Plaintiffs served two interrogatories asking DOJ to (1) describe the mechanisms for enforcing the national ballot receipt deadline required by the Executive Order and (2) identify any states that have responded to the effort to impose such a deadline. Ex. A at 44. Plaintiffs also served a related interrogatory asking EAC to describe its efforts to withhold funds from states that have refused acceptance of a national ballot receipt deadline. *See* Ex. A at 7.

Across *all* of the Democratic Party Plaintiffs' claims against *all* Defendants, these interrogatories total 19 distinct questions regarding several different provisions in the Executive Order, with many of the same interrogatories directed to multiple Defendants, targeting the precise Executive Order provisions at issue.[6] The LULAC Plaintiffs, who do not share all of the Democratic Party Plaintiffs' claims, joined 9 of these distinct interrogatories—the two Global Interrogatories plus seven agency-specific interrogatories. *See supra* n.4.

[6] Prior to filing this motion, the Democratic Party Plaintiffs informed Defendants that they withdrew Interrogatories Nos. 3-5 served on the Department of Justice. *See* Ex. A at 43-44.

III. Defendants refuse to provide any responses or specific objections to Plaintiffs' interrogatories.

On July 9, 2025—twelve days after Plaintiffs served their interrogatories and just two days before this Court's July 11, 2025 deadline for responses—Defendants objected in a one-paragraph email, in which they asserted that Plaintiffs had served too many interrogatories. *See* Ex. B at 6. Specifically, Defendants claimed that a total of 49 interrogatories had been issued. *Id.* They did not mention, however, that most of the interrogatories are duplicates served on several different Defendants, including the two Global Interrogatories served on *all* ten agencies, which alone account for 20 interrogatories in Defendants' miscalculation of 49. *Id.* Based on this improper math, Defendants objected that the "volume" of interrogatories was not proportional to the needs of the case. *See id*. At the same time, Defendants failed to explain why any particular interrogatory was not proportional or relevant. Instead, their email vaguely alluded to just a single interrogatory—the first Global Interrogatory—contending that it sought "'all' communications related to 'the Executive Order.'" *Id.* However, Defendants omitted those parts of the interrogatory that asked only that Defendants "summarize" "non-privileged communications" regarding the "meaning" of the Executive Order and any "actions or efforts" to implement it. *See, e.g.*, Ex. A at 6.

Plaintiffs responded that same day. *See* Ex. B at 4–5. *First*, Plaintiffs explained that Rule 33 does not impose a 25-interrogatory limit in *a case*; it allows a party to serve up to 25 interrogatories *on each party*—indeed, this is the only sensible reading of Rule 33 in complex, multiparty litigation. *Id. Second*, Plaintiffs noted that their interrogatories included many identical requests served on multiple agencies, undercutting Defendants' improper count. *Id* at 5. *Third*, pointing to the plain text of Rule 33, Plaintiffs noted that the "grounds for objecting to an interrogatory must be stated with specificity." *Id.* (quoting Fed. R. Civ. P. 33(b)(4)). Plaintiffs

requested that Defendants serve such specific objections to facilitate good faith conferral on possible narrowing. *Id. Finally*, Plaintiffs asked Defendants to confirm that they intended to serve interrogatory-specific objections and responses by July 11, 2025—the deadline set by the Court. *See id.*

Defendants responded the next morning with a one-sentence email asking to confer. The email did not address any of the points detailed in the Democratic Party Plaintiffs' response, nor did it make any effort to explain how Defendants had complied with Rule 33. *See id.* at 4. Plaintiffs quickly agreed to confer but reiterated that Defendants had a duty to offer specific objections to individual interrogatories. *See id.* at 3.

The parties met and conferred on July 11, 2025. *See id.* at 1. Defendants shared that they would not provide any written responses to Plaintiffs' interrogatories because they viewed the interrogatories collectively as disproportional to the needs of the case. *See id.* Once more, Defendants failed to identify specific shortcomings with any particular interrogatory. Plaintiffs again stressed that the failure to provide specific responses or objections violated Rule 33, undercut conferral efforts, prejudiced their discovery rights, and would frustrate the Court's ability to resolve a crystallized discovery dispute. *See id.*

IV. Public reports show that Defendants are implementing the Executive Order.

Despite Defendants' stonewalling, elements of their implementation activity have been reported by the news media. For example, public reports indicate that DHS has updated the SAVE platform with the assistance of at least two other defendants: DOGE and SSA.[7] DHS has partially

[7] *See* Jude Joffe-Block & Miles Parks, *The Trump Administration Is Building a National Citizenship Data System*, NPR (June 29, 2025), https://perma.cc/Z64H-3TQ3 (reporting that, "[w]ithin weeks" of the Executive Order, DHS "began announcing rolling upgrades to SAVE,

confirmed these reports by announcing that SAVE—which once could assess the U.S. citizenship records only of naturalized citizens—can now cross-reference information about nearly all Americans based on individuals' Social Security numbers.[8] DHS also announced that state election officials now have ready access to SAVE, consistent with the Executive Order, *see* § 2(b).[9] Other reports reflect that DOGE is developing a new database and other tools to assess citizenship,[10] and that the President is inviting outside contractors such as Palantir to assist in these efforts.[11]

Public reporting further suggests that some Defendants, such as DHS and EAC, have been communicating with state officials to seek information about state election systems—including states' voting machines, voter rolls, and efforts to maintain those voter rolls.[12] Other reports reference meetings or conversations in which some Defendants discussed efforts related to the Executive Order.[13] Several states have introduced or passed legislation related to or consistent with

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crediting DOGE with the changes" and that "SAVE had integrated data from the Social Security Administration so election officials could query it with a nine-digit Social Security number").

[8] *Supra* n.5.

[9] *Id*.

[10] *See supra* n.7.

[11] *See* Ex. C, Sheera Frenkel & Aaron Krolik, *Trump Taps Palantir to Compile Data on Americans*, N.Y. Times (May 30, 2025), https://www.nytimes.com/2025/05/30/technology/trump-palantir-data-americans.html.

[12] *See* Ex. D, Patrick Marley & Yvonne Wingett Sanchez, *DOJ hits states with broad requests for voter rolls, election data*, Wash. Post (July 16, 2025), https://www.washingtonpost.com/politics/2025/07/16/trump-voter-fraud-elections/.

[13] *See, e.g.*, Jude Joffe-Block, *Democratic senators raise concerns about a new Trump citizenship data system*, NPR (July 17, 2025), https://perma.cc/RNZ7-D9LQ (describing letter from senators to DHS expressing concern over a "private . . . briefing" offered to the Election Integrity Network regarding implementation of the Executive Order); Carrie Levine, *Trump's Executive Order: Work On New Voting System Guidelines is Already in Motion*, VoteBeat (June 30, 2025), https://perma.cc/385L-TVN5 (describing meetings of the EAC's Technical Guidelines Development Committee, "a group of mainly election officials and technical experts," to discuss

the Executive Order's provisions—such as new requirements to reject ballots mailed on or before election day, but received shortly thereafter, or for citizens to show DPOC to register to vote. *See, e.g.*, H.B. 1165, 69th Leg. Assemb., 2025–2026 Sess. (N.D. 2025) (adopting election day receipt deadline); H.B. 156, 68th Leg. (Wyo. 2025) (adopting DPOC for Wyoming state form).[14] Whether the federal Executive Branch played some hand in advancing these efforts is unknown. These glimpses into Defendants' implementation efforts highlight the need for discovery in this matter.

LEGAL STANDARD

"To satisfy Rule 33, [a] party to whom an interrogatory is propounded 'must provide true, explicit, responsive, complete, and candid answers.'" *English v. Washington Metro. Area Transit Auth.*, 323 F.R.D. 1, 8 (D.D.C. 2017) (quoting *Guantanamera Cigar Co. v. Corporacion Habanos, S.A.*, 263 F.R.D. 1, 7 (D.D.C. 2009)). "Each interrogatory must, to the extent it is not objected to, be answered separately and fully in writing under oath." Fed. R. Civ. P. 33(b)(3). The "grounds for objecting to an interrogatory must be stated with specificity" and any "ground not stated in a timely objection is waived unless the court, for good cause, excuses the failure." Fed. R. Civ. P. 33(b)(4).

The Court may issue a compulsion order whenever a party "fails to answer an interrogatory submitted under Rule 33." Fed. R. Civ. P. 37(a)(3)(B)(iii). A motion to compel interrogatory

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implementation of Section 4(b)); *see also* EAC Public Meeting on Voting System Certification to VVSG 2.0 (July 16, 2025), https://www.youtube.com/watch?v=iR3F44mMbzw.

[14] *See also* Ex. E, Press Release, Miss. Sec'y of State,Mississippi Garnering National Attention for Election Integrity Efforts (July 15, 2025), https://www.sos.ms.gov/press/mississippi-garnering-national-attention-election-integrity-efforts (noting that "the Trump Administration" solicited "a visit" by some state secretaries of state to "discuss the President's focus on election integrity across the country" in the wake of "President Trump sign[ing] Executive Order 14248").

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responses is "subject to a burden-shifting framework." *CLC v. Iowa Values*, 710 F. Supp. 3d 35, 46–47 (D.D.C. 2024). The moving party bears the initial burden of showing their interrogatories are "relevant," which is "construed broadly in the discovery context," and reaches "any matter that bears on, or that reasonably could lead to other matter that could bear on any party's claim or defense." *Id.* (quoting *United States ex rel. Shamesh v. CA, Inc.*, 314 F.R.D. 1, 8 (D.D.C. 2016)). The movant must also establish "that the opposing party's response to their request is inadequate or incomplete." *Id.* at 46 (citing *Barnes v. District of Columbia*, 289 F.R.D. 1, 21 (D.D.C. 2012)).

After the moving party establishes relevance and incompleteness, "the burden shifts to the party opposing discovery to show why the discovery should not be permitted." *Lamaute v. Power*, 339 F.R.D. 29, 35 (D.D.C. 2021). The objecting party must "show that the movant's request is burdensome, overly broad, vague or outside the scope of discovery." *United States v. Kellogg Brown & Root Servs., Inc.*, 284 F.R.D. 22, 27 (D.D.C. 2012). In resolving the motion, the Court must "consider the prior efforts of the parties to resolve the dispute, the relevance of the information sought, and the limits imposed by Rule 26(b)(2)(C)." *Barnes*, 289 F.R.D. at 5–6.

ARGUMENT

Plaintiffs' interrogatories are relevant and authorized by the Court's order. Each is calibrated to seek information relevant to "the existence *vel non* of final agency actions and the contours of the precise policy at issue in their claims." ECF No. 141 at 2 (internal quotation marks and citation omitted). Nevertheless, Defendants have refused to answer Plaintiffs' interrogatories *at all* and their deadline for doing so has now passed. That is a plain violation of Rule 33, which requires that "[e]ach interrogatory must . . . be answered." Fed. R. Civ. P. 33(b)(3). Rule 33 does not permit blanket objections to Plaintiffs' interrogatories on non-specific numerosity and proportionality grounds. Even if Defendants' objections had been specifically made, they would

fail. Because Defendants have refused to make specific objections or serve any responses to Plaintiffs' interrogatories, the Court should find that Defendants have waived any such objections (or otherwise overrule them) and compel Defendants to respond in a timely and complete manner.

I. Plaintiffs' Interrogatories seek relevant information necessary to discern the contours of the Executive Order's implementation.

This Court already determined that limited discovery is warranted to enable the Court to "efficiently resolve issues regarding the ripeness and justiciability of certain of Plaintiffs' claims." ECF No. 141 at 2. Plaintiffs' initial burden here is to show that their interrogatories "bear[] on" or "reasonably could lead to other matter that could bear on" Defendants' ripeness and justiciability defenses. *Shamesh*, 314 F.R.D. at 8. That is not a high bar: interrogatories seek "relevant" information "unless it is clear that the information sought can have no possible bearing on" such defenses. *Cherokee Nation v. U.S. Dep't of the Interior*, 531 F. Supp. 3d 87, 98 (D.D.C. 2021). "This broad interpretation of relevance advances Rule 26's liberal and expansive purpose of permitting the parties to develop the facts, theories, and defenses of the case." *Ted Cruz for Senate v. FEC*, 451 F. Supp. 3d 92, 98 (D.D.C. 2020) (cleaned up).

Here, the handful of tailored interrogatories that Plaintiffs served on Defendants are relevant to questions of justiciability and necessary to ascertaining the "contours" of the actions Defendants have and will take to carry out the challenged provisions of the Executive Order. That is particularly so since Defendants are clearly engaged in the process of implementing the Executive Order, as the contours of that implementation remain unknown. *See supra* Background § IV. And, as summarized above, the interrogatories focus on the specific provisions that each Defendant is responsible for implementing. *Supra* Background § II; *see also* Ex. A. That is precisely what this Court contemplated in its scheduling order. *See* ECF No. 141 at 2. In addition

to informing the merits, these questions are relevant to threshold issues of (1) final agency action (2) prudential ripeness, (3) constitutional ripeness, and (4) Article III standing.

Defendants have at no point explained how Plaintiffs could meaningfully test defense declarations without factual development. Nor could they. "Final agency action," for example, turns largely on whether an agency has "consummat[ed]" a "decisionmaking process." *Bennett v. Spear*, 520 U.S. 154, 177–78 (1997). "[P]rudential ripeness," similarly, turns in part on whether "further factual development" about the agency's own action is required to resolve the central legal questions presented. *Susan B. Anthony List v. Driehaus*, 573 U.S. 149, 167 (2015). And constitutional ripeness and standing issues may turn on whether Plaintiffs' injuries are "concrete" and "actual" or "imminent." *Spokeo v. Robins*, 578 U.S. 330, 339 (2016); *POET Biorefining, LLC v. EPA*, 970 F.3d 392, 403 (D.C. Cir. 2020). Courts—including this one—have thus consistently concluded that information about the precise "contours" of agency action is relevant to such questions. ECF No. 141 at 2 (internal quotation marks and citation omitted); *Venetian Casino Resort v. EEOC*, 409 F.3d 359, 367 (D.C. Cir. 2005) (directing district court to "ascertain the contours of the precise policy at issue" where final agency action, ripeness, and standing were in dispute); *Does 1-9 v. Dep't of Justice*, No. 25-CV-325 (JMC), 2025 WL 894120, at *6 (D.D.C. Mar. 22, 2025) (granting "jurisdictional discovery" where court would be required to "assess whether [a challenged] disclosure is imminent"); *All. for Retired Americans v. Bessent*, No. CV 25-0313 (CKK), 2025 WL 1114350, at *3 (D.D.C. Mar. 20, 2025) (granting "expedited discovery related to Defendants' implementation of President Trump's Executive Order" on the "issue of what specific actions Defendants took"). Plaintiffs' interrogatories are consistent with the Court's order and, because each "bears on" or "reasonably could lead to other matter that could bear on"

issues identified in the order, the burden falls on Defendants to demonstrate that they have no responsibility to answer them. *Iowa Values*, 710 F. Supp. 3d at 46; *Lamaute*, 339 F.R.D. at 35.

II. Defendants have failed to justify their refusal to answer Plaintiffs' Interrogatories.

Defendants, in turn, have failed to meet their burden. The only written response they have provided to date is contained in a one-paragraph email that offers generalized objections. Such boilerplate violates Rule 33. Even if Defendants' inchoate objections could be charitably characterized as "specific[]," Fed. R. Civ. P. 33(b)(4), the objections still fail on their own terms. Accordingly, this Court should deem Defendants' objections waived or reject them on the merits. Either way, Defendants must be compelled to answer Plaintiffs' interrogatories.

A. Rule 33 does not permit Defendants to refuse to provide specific objections and responses to Plaintiffs' Interrogatories.

Defendants' stonewalling violates the Federal Rules as well as this Court's scheduling order. A "[l]itigant responding to discovery may not just 'sit on his hands.'" *U.S. v. All Assets Held at Bank Julius Baer & Co., Ltd.*, No. 04-cv-798, 2018 WL 8867711, at *9 (D.D.C. Jan. 19, 2018). "*Each* interrogatory *must*, to the extent it is not objected to, be answered separately and fully *in writing under oath*." Fed. R. Civ. P. 33(b)(3) (emphases added); *see also* Fed. R. Civ. P. 33(b)(1) (explaining that "interrogatories must be answered"). And any objection must be "stated with specificity" or it is "waived." Fed. R. Civ. P. 33(b)(4). Rule 33 thus "emphasize[s] the duty of the responding party to provide full answers to the extent not objectionable." Fed. R. Civ. P. 33, Advisory Committee Notes (1993). Defendants effectively have just two options under Rule 33: answer Plaintiffs' interrogatories "fully," Fed. R. Civ. P. 33(b)(3), or state specific objections to particular interrogatories and answer "to the extent [the interrogatory] is not objected to," *id.*; *see also Micula v. Gov't of Romania*, No. 21-7139, 2023 WL 2127741, at *3 (D.C. Cir. Feb. 21, 2023)

(affirming finding of "materially unresponsive" answers where party did not "explain why it failed either to respond 'fully' or to object" to interrogatories).

Defendants failed to do either by this Court's deadline, resting instead upon blanket objections to Plaintiffs' Interrogatories—a response not contemplated or permitted under Rule 33. The Federal Rules broadly prohibit "general objections" and require objections to be made with "sufficient specificity to enable [a] court to evaluate their merits." *DL v. Dist. Of Columbia*, 251 F.R.D. 38, 43 (D.D.C. 2008). Under Rule 33, "the objecting party must explain how each objection applies to *each specific discovery request*." *Smash Tech., LLC v. Smash Sols., LLC*, 335 F.R.D. 438, 447 (D. Utah 2020) (emphasis added). Accordingly, "Defendants 'cannot evade the specificity provision of Rule 33(b)(4)" through "boilerplate general objections." *Bamberger v. United Nat. Foods Inc.*, No. 21-cv-18-ACR-ZMF, 2023 WL 2424596, at *2 (D.D.C. 2023) (cleaned up and citations omitted); *see also Convertino v. U.S. Dep't of Just.*, 565 F. Supp. 2d 10, 13 (D.D.C. 2008) (concluding general objections to interrogatories "fail to satisfy [objector's] burden under the Federal Rules"); *Powerhouse Marks, L.L.C. v. Chi Hsin Impex, Inc.*, No. Civ.A.04CV73923DT, 2006 WL 83477, at *2 (E.D. Mich. Jan. 12, 2006) (explaining "general objections" to interrogatories may be "discarded by a plain reading of Rule 33(b)"); *Wasley Prods., Inc. v. Bulakites*, Nos. 3:03CV383(MRK)(WIG), 3:03CV1790(MRK)(WIG), 2005 WL 4012803, at *1 n.1 (D. Conn. Dec. 22, 2005) (holding that "general objections" made to interrogatories "do not comply with the requirements of the Federal Rules").

The vague proportionality and numerosity objections made in Defendants' one-paragraph email response are therefore not only misguided, *see infra* Argument §§ II.B, II.C, but also fundamentally deficient. Defendants have chosen to "provide[] *no* responses or objections" to the interrogatories—but "no legal authority . . . support[s] that position." *LLC SPC Stileks v. Republic*

of Moldova, No. 14-cv-1921 (CRC), 2023 WL 2610501, at *7 (D.D.C. Mar. 23, 2023) (citing Fed. R. Civ. P. 33(b)(4)); *see also Young v. United Fin. Cas. Co.*, No. 23-cv-707, 2024 WL 863886, at *3 (E.D. La. Feb. 29, 2024) ("A general objection untethered to specific requests is improper." (citing *DL*, 251 F.R.D. at 43)). As this Court has recognized, objections "fail to comply" with Rule 33's specificity requirement where they "simply assert" that the interrogatories "seek irrelevant information." *Klayman v. Jud. Watch, Inc.*, No. 06-cv-670 (CKK), 2008 WL 11394172, at *5 (D.D.C. Apr. 2, 2008). That is all Defendants' email amounts to—a "simple assertion" of disproportionality that "fail[s] to comply" with Rule 33. *Id.*

B. Defendants' numerosity objection is wrong and, in any event, not preserved.

Defendants' threshold numerosity objection is also meritless. Rule 33 permits service of up to 25 interrogatories "on any . . . Party." Fed. R. Civ. P. 33(a)(1). That means plaintiffs "may serve *each* defendant with 25 interrogatories." *Trevino v. ACB Am., Inc.*, 232 F.R.D. 612, 614 (N.D. Cal. 2006) (emphasis in original); *see also Mirakl, Inc. v. VTEX Com. Cloud Sols. LLC*, 544 F. Supp. 3d 146, 147 (D. Mass. 2021) ("Plaintiff may therefore serve 25 interrogatories on each defendant."); *Thibodeaux v. Myers*, No. 1:20-CV-01630, 2022 WL 4086809, at *3 (W.D. La. Sept. 6, 2022) ("[T]he 25 interrogatory limit is not collective—a plaintiff may propound up to 25 interrogatories on each defendant") (citation omitted). Accordingly, the Federal Rules permit the Democratic Party Plaintiffs to serve far more discovery than Defendants claim. And, in reality, the Democratic Party Plaintiffs have served proportional discovery, amounting to just two Global Interrogatories and 17 agency-specific interrogatories. *See, e.g.*, *DFW Dance Floors, LLC, v. Suchil*, No. 3:22-CV-1775, 2025 WL 1782573, at *6 (N.D. Tex. Apr. 4, 2025) (overruling numerosity objection where plaintiff "directed a total of 48 interrogatories" to two defendants and therefore "did not submit more than 25 interrogatories to any one defendant").

Indeed, the facts of this case show why Defendants' view is deeply impractical. The Executive Order consists of many distinct provisions to be implemented by an array of federal agencies and officials. Given the defendant agencies' "discrete" tasks under the Executive Order, defendant-specific interrogatories are necessary to obtain relevant information. *See Marcus v. City of Buffalo*, No. 20-CV-316JLS(F), 2022 WL 17747094, at *1 (W.D.N.Y. Dec. 1, 2022) (finding "individual interrogatories" to each defendant "warranted" where "individual police officer[s] . . . are alleged to have engaged in discrete forms" of unlawful behavior necessitating defendant-specific discovery); *Adlerstein v. U.S. Customs & Border Prot.*, 342 F.R.D. 269, 272 (D. Ariz. 2022) (applying limitation per party plaintiff, not per side, where the "specific claims" against each defendant "significantly differ factually"). To arbitrarily restrict parties to 25 interrogatories *per side* would yield ludicrous results in complex litigation involving numerous parties.[15]

Finally, even where a set of interrogatories exceeds Rule 33's permissible limit, an objecting party is required to "answer up to the numerical limit." *Mondragon v. Scott Farms, Inc.*, 329 F.R.D. 533, 541 (E.D.N.C. 2019); *see also Olen Props. Corp. v. ACE Am. Ins. Co.*, No. SACV 15-02116-AG-KESx, 2017 WL 11635014, at *3 (C.D. Cal. Jan. 30, 2017) (collecting authority that objecting party cannot "refuse to answer any [interrogatories] until the numeric dispute is resolved" and must answer up to 25 interrogatories); *Paananen v. Cellco P'ship*, No. C08-1042

[15] Imposing a "per side" limit on interrogatories would also frustrate the "liberal joinder policy encouraged by the federal rules" meant to "settle[] . . . as many related claims as possible within the scope of a single action," Wright & Miller, 6 Fed. Prac. & Proc. Civ. § 1436 (3d ed.), and discourage Rule 42 consolidation, which helps courts "save time and effort . . . by resolving [issues] in one proceeding." *Hanson v. District of Columbia*, 257 F.R.D. 19, 22 (D.D.C. 2009). And the logical alternative to Plaintiffs' targeted approach—serving all 19 interrogatories on Defendants collectively—would have increased the burden of expedited discovery by demanding that agencies not expressly involved in implementing particular provisions of the Executive Order nonetheless participate in the formulation of responses to each interrogatory.

RSM, 2009 WL 3327227, at *5 (W.D. Wash. Oct. 8, 2009) ("[A] responding party must answer the first 25 interrogatories."); *Serigne v. Preveau*, No. Civ.A.11-3160, 2013 WL 1789520, at *2 n.3 (E.D. La. 2013) (similar). Accordingly, at minimum, Defendants were obligated to fully answer 25 interrogatories and to then assert a numerosity objection only as to allegedly excessive requests; they may not withhold responses altogether.

C. Defendants' proportionality objection is wrong and, in any event, not preserved.

Defendants' proportionality objection to the "volume" of interrogatories is also misguided. *See* Ex. B at 6. This Court has already determined that some targeted discovery is needed, thus the relevant question is whether Defendants can substantiate their blanket view that Plaintiffs' interrogatories are unduly burdensome relative to the "needs of the case." *In re Non-Party Subpoena to Ctr. for Study of Soc. Pol'y*, 659 F. Supp. 3d 54, 59 (D.D.C. 2023) (quotation omitted). In making this determination, courts take into account several factors—including (1) "the importance of the issues at stake in the action," (2) "the parties' relative access to relevant information," (3) "the parties' resources," (4) "the importance of the discovery in resolving the issues," and (5) "whether the burden or expense of the proposed discovery outweighs its likely benefit." *Id.*[16] For several reasons, Defendants' blanket proportionality objection fails.

To start, Defendants root their proportionality objection in the "volume" of interrogatories, rather than the scope of any particular interrogatory. *Supra* Background § III. This failure to specify why Defendants believe any specific interrogatory is not proportional to the needs of this case undermines the Court's ability to conduct a proper proportionality analysis. While some

[16] Where relevant, courts also consider "the amount in controversy," *Oxbow Carbon & Mins., LLC v. Union Pac. R.R. Co.*, 322 F.R.D. 1, 6 (D.D.C. 2017), but that consideration is not relevant here.

relevant considerations may "uniformly apply to all requests," *Lamaute*, 339 F.R.D. at 35, ultimately these "determinations must be made on a case-by-case basis," *Oxbow Carbon*, 322 F.R.D. at 6. In other words, nothing "alter[s] the basic allocation of the burden on [defendants] to . . . specifically object and show that [each] request" lacks proportionality. *Id.* (citing *Mir v. L–3 Commc'ns Integrated Sys., L.P.*, 319 F.R.D. 220, 226 (N.D. Tex. 2016)). Thus, as with their numerosity objection, defendants have failed to preserve any proportionality objection. *See infra* Argument § II.D.

In any event, relevant considerations confirm that the interrogatories are proportional to the needs of this case. *First*, the "issues at stake in the action" are important. As the Court observed in preliminarily enjoining enforcement of Sections 2(a) and 2(d) of the Executive Order, this time-sensitive election case centers on significant separation-of-powers issues and the "virtually unprecedented pace with which the President has issued executive orders since taking office." ECF No. 104 at 28. ECF No. 104 at 28; *accord Clinton v. City of New York*, 524 U.S. 417, 439 (1998) (describing issues involving the interaction of "unilateral Presidential action" with Congress's constitutional authority as "profoundly important"); *see also, e.g.*, *Oxbow Carbon*, 322 F.R.D. at 7 (explaining that this factor weighs in favor of allowing discovery where the issues at stake in the case involve "important . . . public values" and reach beyond the particular controversy at issue) (citing Fed. R. Civ. P. 26 Advisory Committee Notes (2015)).

Second, the interrogatories are tailored to seek information only Defendants have. *See Lamaute*, 339 F.R.D. at 36 (explaining that, where the plaintiff lacks access to information to which "the [defendant] Agency has access . . . the burden properly lies heavier on the [Agency that] has more information"). The interrogatories request information about agency actions taken to carry out the challenged provisions of the Executive Order and the contours of the policies that guide

them. *Supra* Background § II. As in other recent cases before this Court concerning the President's executive actions, this case is "unlike the typical APA case, which involves . . . agency action taken in public view." *Bessent*, 2025 WL 1114350, at *3. Beyond selective disclosures and limited leaks, "only the Defendants know the 'contours' of those actions." *Id.* (quoting *Venetian Casino Resort*, 409 F.3d at 367). Indeed, at the preliminary injunction stage, Plaintiffs only learned about critical agency implementation efforts third hand, when a letter sent by EAC to state election officials was made public. *See* ECF No. 104 at 59 & n.29.[17] That scenario appears to be repeating itself, as Plaintiffs are once more gaining limited information concerning implementation only through public news accounts. *See supra* Background § IV. Further still, Defendants themselves requested—and the Court ordered—potentially dispositive briefing solely on threshold defenses before any administrative record will be produced. *See* ECF No. 141 at 3; *contrast Bessent*, 2025 WL 1114350, at *3 (granting additional discovery requests after production of administrative record because the produced record was "insufficient to allow the Court and Plaintiffs to ascertain the contours of the precise policy at issue") (citation omitted). The discovery sought is both critical to that briefing and solely within Defendants' possession.

Finally, the last three factors—party resources, the importance of the request to resolution of relevant issues, and the likely benefit of responses weighed in relation to cost—should be

[17] At this same stage, Defendants submitted their own evidence to press the threshold defenses about which the Democratic Party Plaintiffs now seek limited discovery. *See* Decl. of Brianna Schletz, ECF No. 85-1; *see also AFL-CIO v. Dep't of Labor*, No. 25-cv-0339 (JDB), 2025 WL 1142495, at *4 (D.D.C. Feb. 27, 2025), *reconsideration denied*, 2025 WL 1129202 (D.D.C. Mar. 19, 2025) ("It would be strange to permit defendants to submit evidence that addresses critical factual issues . . . without permitting plaintiffs to explore those factual issues through very limited discovery."); *Sirmans v. Caldera*, 27 F. Supp. 2d 248, 251 (D.D.C. 1998) ("The defendant simply cannot have it both ways . . . . The government cannot now argue that it wishes to reveal some, but not all, of the relevant information concerning the conduct of the [agency]." (quotation omitted)).

considered together. *See Lamaute*, 339 F.R.D. at 36 (citation omitted). Here, they weigh decidedly in favor of compelling answers to Plaintiffs' interrogatories. Defendants have not claimed that they lack the resources to provide answers to any of Plaintiffs' interrogatories, never mind substantiated such an assertion. They have similarly failed to offer any explanation as to how the cost of responding to the interrogatories outweighs the benefit of creating a clear record—sworn to under oath—as to the contours of agency action here. Even assuming that Defendants' resources are limited, general complaints about the need to direct limited resources to responding to discovery do not favor quashing requests. *E.g.*, *DL*, 251 F.R.D. at 44 (courts will "only entertain[] an unduly burdensome objection when the responding party demonstrates how" the particular request is "overly broad, burdensome, or oppressive, by submitting affidavits or offering evidence which reveals the nature of the burden") (citations omitted); *Lamaute*, 339 F.R.D. at 36 (noting that a general lack of resources cannot defeat a request even if "addressed to an impecunious party") (quoting Fed. R. Civ. P. 26, Advisory Committee Notes (2015)); *Oxbow Carbon*, 322 F.R.D. at 8 (similar). Accordingly, every factor weighs in favor of compelling responses.

The same conclusion would hold even if Defendants had tailored their proportionality objections to specific interrogatories. As explained, Plaintiffs' interrogatories amount to just 19 questions regarding the implementation of several challenged provisions by ten federal agencies. That is hardly an "overly broad, burdensome, or oppressive" request in the context of this case. *DL*, 251 F.R.D. at 44. Even Defendants' half-hearted objection to Global Interrogatory No. 1 falls short. As explained, *supra* Background § IV, Defendants mischaracterized the scope of that request, which is tailored to require Defendants to "summarize" "non-privileged communications" regarding the *meaning and implementation* of the Executive Order. The fact that the interrogatory seeks a summary of "all" responsive, non-privileged communications does not render it

disproportional—seeking a comprehensive answer does not render an interrogatory improperly tailored. *E.g.*, *Does 1-9*, 2025 WL 894120, at *7 (approving of interrogatory asking DOJ to "[i]dentify every non-DOJ person, including White House personnel and DOGE personnel, who is known to have, or had, access to the data collected pursuant to" the relevant agency action).[18]

D. Defendants waived any specific objections by failing to serve them in a timely manner and should be compelled to serve complete responses.

In view of their deficient response, Defendants waived any specific objections they could have raised to Plaintiffs' interrogatories, and this Court should compel complete responses. "Any ground not stated in a timely objection is waived unless the court, for good cause, excuses the failure." Fed. R. Civ. P. 33(b)(4). Many courts have "cautioned or concluded that 'the failure to object within the time fixed for its answer generally constitutes a waiver of any objection.'" *Fonville v. Dist. Of Columbia*, 230 F.R.D. 38, 42 (D.C. Cir. 2005) (quoting *Chubb Integrated Sys. Ltd. v. Nat'l Bank of Washington*, 103 F.R.D. 52, 62 (D.D.C. 1984)); *see also DL*, 251 F.R.D. at 47 (finding waiver where party raised "general objection" that plaintiffs' requests were "vague" without "clarif[ying] or indicat[ing] the aspects of the requests at issue which it was unable to comprehend"); *Mills v. Billington*, No. 04-cv-5505 (HHK) (AK), 2008 WL 11388757, at *3 (D.D.C. July 28, 2008) (finding waiver where plaintiffs "failed to demonstrate good cause for their

[18] *See also, e.g.*, *Alexander v. FBI*, 193 F.R.D. 1, 3 (D.D.C. 2000) (compelling responses to interrogatories seeking, among other things, information on "[a]ll meetings held or other communications made, including all communications made to the media, related to the use or obtaining of FBI background investigation files, summary reports, or raw data on persons included on the FBI files list"); *Tri-State Hosp. Supply Corp. v. United States*, 238 F.R.D. 102, 108 (D.D.C. 2006) (compelling complete responses to interrogatories, including request for "a description of all communications between Customs and the IRS regarding" the plaintiff); *contrast Feld v. Fireman's Fund Ins. Co.*, 292 F.R.D. 129, 135 (D.D.C. 2013) (finding request for "all communications" regarding "the matters alleged in the Complaint" too "broad" and resolving objection by compelling answers to the extent the request covered "discoverable" topics).

failure to raise . . . objections in their original responses"); *In re Papst Licensing GMBH & Co. KG Litig.*, 550 F. Supp. 2d 17, 22 (D.D.C. 2008) (similar and collecting authority).

Given their refusal to serve proper objections and responses by the deadline set by this Court, Defendants cannot establish good cause here. To start, their mistaken understanding of how Rule 33 operates does not constitute good cause, particularly where the Democratic Party Plaintiffs repeatedly pointed them to that Rule's specificity requirements. *See Byrd v. Reno*, No. 96-cv-2375 (CKK) (JMF), 1998 WL 429676 at *6 (D.D.C. Feb. 12, 1998) (defining good cause as medical emergency or where requests are so patently irrelevant that the court must prevent misuse of its processes). Further, each of the factors for determining waiver cuts squarely against Defendants. *See Nasreen v. Capitol Petroleum Grp., LLC*, 340 F.R.D. 489, 497–98 (D.D.C. 2022) (listing as factors (1) length of delay, (2) reason for delay, (3) bad faith action, (4) prejudice to party seeking discovery, (5) properly framed discovery requests, and (6) harshness on defaulting party).

As to the first three factors, Defendants continue to refuse to comply with their response deadline at all. Moreover, Defendants waited to raise their boilerplate numerosity and proportionality objections until the eve of their response deadline, ensuring that the deadline would pass without meaningful responses. Their choice to ignore the formal response deadline (now nearly a week passed), coupled with their failure to seek any extension from the Court, constitutes bad faith. *See George v. Allen Martin Ventures, LLC*, No. 21-cv-2876-RJL-ZMF, 2023 WL 2705776, at *7–8 (D.D.C. Mar. 30, 2023) (finding waiver where party "never offered to [defendant] or the Court a reason for the delay in responding" to its deadline and failed to seek extension); *see also Escamilla v. Nuyen*, No. 1:14-cv-00852-AK, 2015 WL 4245868, at *5 (D.D.C. July 14, 2015) (objections deemed waived where responding party ignored deadline and the Court "did not order an enlargement of the time period" to respond or object).

There is nothing "harsh" about requiring Defendants to respond to Plaintiffs' properly promulgated discovery requests. The interrogatories simply ask Defendants to provide information the Court has already deemed relevant—"discern[ing] the existence *vel non* of final agency actions and the contours of the precise policy at issue in their claims." ECF No. 141 at 2 (internal quotation marks and citation omitted). The Court gave Defendants ample time to raise their concerns in a way that could facilitate compromise, and holding them accountable to this Court's deadlines is not a harsh outcome. *See Caudle v. D.C.*, 263 F.R.D. 29, 34–35 (D.D.C. 2009) (explaining waiver was not "harsh" where defendant ignored deadline and responded only "in a cursory manner"); *George*, 2023 WL 2705776, at *8 (similar where Plaintiff unjustifiably ignored deadline); *Nasreen*, 340 F.R.D. at 499 (similar).

Finally, there is no question that Defendants' conduct has significantly prejudiced Plaintiffs, who "have been forced to bring the Motion, racking up further costs and delaying the ultimate adjudication of this case." *Nasreen*, 340 F.R.D. at 498. It has also prejudiced Plaintiffs' abilities to comply with the Court's discovery schedule because Plaintiffs have not yet received *any* substantive responses to their interrogatories, even as the deadline for discovery motions passes. *See* ECF No. 141. Even if the Court grants the present motion, Defendants may provide deficient responses, requiring additional intervention by the Court. These delays prejudice Plaintiffs' ability to comply with the Court's summary judgment briefing schedule, which the Court adopted to ensure expedited resolution. *Id.*

In sum, the relevant factors each weigh heavily in favor of finding waiver. The proper course is to order Defendants to provide full responses to the interrogatories, without the benefit of any specific objections they could have asserted in a timely manner. *See Nasreen*, 340 F.R.D. at 500. And even if Defendants' specific objections—whatever they may be—are not deemed

waived, the Court should nonetheless reject their boilerplate objections and compel complete responses to Plaintiffs' interrogatories.

CONCLUSION

The Court should grant Plaintiffs' motion to compel Defendants to promptly provide complete responses to Plaintiffs' targeted interrogatories.

Dated: July 18, 2025

Respectfully submitted,

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CERTIFICATE OF CONFERRAL

In compliance with Federal Rule of Civil Procedure 37(a) and Local Rule 7(m), I certify that counsel for the Democratic Party Plaintiffs conferred in good faith with counsel for Defendants about resolving this dispute without court intervention, but no agreement could be reached.

Dated: July 18, 2025

Respectfully submitted,

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