

**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)

JOINT STIPULATION OF PARTIAL DISMISSAL PURSUANT TO RULE 41

Pursuant to Federal Rule of Civil Procedure 41(a)(1)(a)(ii), the Democratic Party Plaintiffs and Defendants hereby stipulate that Plaintiffs are no longer pursuing their claims challenging Sections 4(b), 4(c), and 4(d) of Executive Order 14,248. No other party to these consolidated actions opposes this stipulation. Accordingly, Plaintiffs hereby dismiss the following claims without prejudice, with the parties to bear their own costs and attorneys' fees as to these claims: (1) Plaintiffs' *ultra vires* claims as to Sections 4(b) and 4(c) in Count I; (2) Plaintiffs' separation of powers/unlawful intrusion upon congressional authority claims as to Sections 4(b) and 4(c) in Count II; (3) Plaintiffs' separation of powers/usurpation of Congress's spending powers claim as to Section 4(d) in Count IV; and (4) Plaintiffs' Administrative Procedure Act claims as to Section 4(b) and 4(c) in Count XI. *See, e.g., Vail v. D.C.*, No. CIV.A. 86-1718, 1988 WL 63069, at *2 n.5 (D.D.C. June 2, 1988) (recognizing "the use of Rule 41(a) as a means for partial dismissal").¹ This stipulation does not affect any other claims or theories of liability pleaded in Plaintiffs' complaint.

¹ Alternatively, the Court may construe this stipulation as a motion to amend the Democratic Party Plaintiffs' complaint to remove the claims as to Sections 4(b), 4(c), and 4(d). *See Loma Linda Kidney Ctr. v. Azar*, No. 15-CV-01717 (TFH), 2018 WL 993000, at *4 (D.D.C. Feb. 21, 2018) (recognizing "the decision whether to grant dismissal pursuant to Rule 41 or treat the parties' stipulation of dismissal as a motion to amend plaintiffs' complaints is largely immaterial"), *aff'd sub nom. Loma Linda Univ. Kidney Ctr. v. Azar*, 755 F. App'x 7 (D.C. Cir. 2018).

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