

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA,

Plaintiff,

v.

Civil Case No. 2:25-cv-01481-CB

COMMONWEALTH OF PENNSYLVANIA;  
and AL SCHMIDT, in his official capacity  
as the Secretary of State for the Commonwealth  
of Pennsylvania,

MOTION FOR STAY

Defendants.

**MOTION FOR A STAY OF *UNITED STATES v. PENNSYLVANIA*  
IN LIGHT OF LAPSE OF APPROPRIATIONS**

The United States of America, hereby, moves for a stay of *United States v. Pennsylvania*, 2:25-cv-01481-CB, in the above-captioned case.

1. At the end of the day, on September 30, 2025, appropriations to the Department of Justice lapsed. Department does not know when funding will be restored by Congress.
2. Absent an appropriation, Department of Justice attorneys are prohibited from working, even on a voluntary basis, except in very limited circumstances, including “emergencies involving the safety of human life or the protection of property.” 31 U.S.C. § 1342.
3. Undersigned counsel for the Department of Justice, therefore, requests a stay of *United States v. Pennsylvania*, until Congress has restored appropriations to the Department.
4. If this motion for a stay is granted, undersigned counsel will notify the Court as soon as Congress has appropriated funds for the Department. The Government requests that, at that point, all current deadlines for the parties be extended commensurate with the duration of the lapse in appropriations (i.e., each deadline would be extended by the total number of days of the lapse in appropriations).

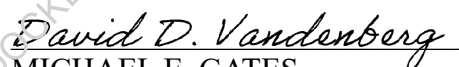
5. Attorneys for the Commonwealth of Pennsylvania and Secretary Schmidt have not yet filed their appearances, so the United States has no counsel to confer with on this motion.

Therefore, although we greatly regret any disruption caused to the Court and the other litigants, the United States, hereby, moves for a stay of *United States v. Pennsylvania*, 2:25-cv-01481-CB, until Department of Justice attorneys are permitted to resume their usual civil-litigation functions.

Dated: October 1, 2025

Respectfully submitted,

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**CERTIFICATE OF SERVICE**

I hereby certify that on October 1, 2025, a true and correct copy of the foregoing document was served via the Court's ECF system to all counsel of record.

/s/ David D. Vandenberg

David D. Vandenberg

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