

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

STATE OF CALIFORNIA, *et al.*,

Plaintiffs,

v.

DONALD J. TRUMP, in his official
capacity as President of the United States,
et al.,

Defendants.

Case No. 1:26-cv-11581-IT

LEAGUE OF WOMEN VOTERS OF
MASSACHUSETTS, *et al.*,

Plaintiffs,

v.

DONALD J. TRUMP, in his official
capacity as President of the United States,
et al.,

Defendants.

Case No. 1:26-cv-11549-IT

**MEMORANDUM IN SUPPORT OF THE INTERVENER STATES' MOTION TO
TRANSFER**

The States of Alabama, Florida, Indiana, Kansas, Louisiana, Missouri, Montana, Nebraska, Oklahoma, South Carolina, South Dakota, and Texas (the “Intervener States”) move to intervene in the above captioned cases, *League of Women Voters of Massachusetts v. Trump*, No. 26- cv- 11549 (D. Mass. Apr. 2, 2026) (“LWVM Case”) and *State of California v. Trump*, No. 26-cv11581 (D. Mass. Apr. 3, 2026) (“California Case”), and with that motion, attach their motion to transfer these actions to the United States District Court for the District of Columbia. In both the California and LWVM Cases, Defendants also filed motions requesting the same transfer. LWVM Case, ECF No. 19; California Case, ECF No. 55. The Intervener States agree that the interests of sound judicial economy, avoidance of possibly conflicting orders, and promotion of inter-district comity all warrant application of the “first-to-file” rule and transfer of both cases to the D.C. District Court where *DSCC v. Trump*, No. 26-cv-1114-CJN (“DSCC Case”), the lead D.C. case about Executive Order 14,399 (the “Executive Order”), was filed on April 1, 2026.

Where, as here, the overlap between the California Case, the LWVM Case, and their D.C. counterparts are “nearly complete,” “the usual practice [in this Circuit] is for the court where the case was first filed to resolve the issues, and the other court to defer by either staying, transferring, or dismissing the action.” *Thakkar v. United States*, 389 F. Supp. 3d 160, 170 (D. Mass. 2019). This is the proper recourse here. First, the defendants in the DSCC Case are nearly identical to those in the LWVM and California Cases. *See id.* at 170-71 (“In addition to determining which suit was filed first, courts will examine the similarity of the parties involved ... in deciding whether the first-to-file rule should apply.”). Second, California, LWVM, and the other D.C. cases challenging the Executive Order concern the constitutionality and validity of Executive Order and seek the same relief with nearly identical legal arguments. *See id.* (“In addition to determining which suit was filed first, courts will examine ... the similarity of the issues in deciding whether

the first-to-file rule should apply.”). Finally, the interests of sound judicial economy and inter-district comity also support transfer because doing so will avoid duplicative filings in this District and in the District of Columbia, wasted judicial and party resources, and the risk of inconsistent rulings. *See Coady v. Ashcraft & Gerel*, 223 F.3d 1, 11 (1st Cir. 2000) (explaining that a “principal concern” behind the “first-filed rule” is “preventing duplication of effort and incompatible rulings”).

For the foregoing reasons, this case should be transferred to the United States District Court for the District of Columbia pursuant to the “first-to-file” rule.

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CERTIFICATE OF SERVICE

I certify that on April 21, 2026, the above was filed electronically through the Court's electronic filing system to be served electronically on counsel for the parties.

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