UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

IMMIGRANT ADVOCATES RESPONSE COLLABORATIVE, et al.,

Plaintiffs,

v.

DEPARTMENT OF JUSTICE, et al.,

Defendants.

Civil Action No. 25-2279 (TNM)

DEFENDANTS' OPPOSITION TO PLAINTIFFS' MOTION TO COMPEL

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Defendants Department of Homeland Security, U.S. Immigration and Customs Enforcement ("ICE"), Markwayne Mullin in his official capacity as Secretary of Homeland Security, and Todd Lyons, in his official capacity as Acting Director of ICE (collectively "Defendants"),[1] by and through undersigned counsel, respectfully submit this opposition to Plaintiffs' motion to compel production of three documents withheld from the administrative record. *See* Pls' Mot. (ECF No. 59). For the reasons discussed below, the Court should deny the motion in its entirety.

BACKGROUND

I. The Disputed Documents

Defendants have decided to withhold three documents from the administrative record.

A. May 20 Email Broadcast (Entry 1 in Privilege Log)

On May 20, 2025, the Principal Legal Advisor Charles Wall for ICE, sent an email broadcast to all personnel of the Office of the Principal Legal Advisor ("OPLA"), providing guidance on the Acting Secretary Benjamin Huffman's January 21, 2025 Expedited Removal Designation. *See* Declaration of Adam Loiacono ("Loiacono Decl.") ¶¶ 6, 11. OPLA attorneys had drafted the broadcast email message, which provided legal analysis and guidance to OPLA attorneys regarding their litigation strategy in immigration court and how to exercise prosecutorial discretion. *See id.* The broadcast email message also provided details on how guidance and information would be directed and relayed to OPLA's law enforcement clients. *See id.* At the time

[1] Defendants the Department of Justice, the Executive Office for Immigration Review ("EOIR"), Todd Blanche, in his official capacity as Acting Attorney General, Sirce Owen, in her official capacity as Acting Director of EOIR, Kevin Riley, in his official capacity as acting Regional Deputy Chief Immigration Judge of EOIR, Phillip Taylor, in his official capacity as acting Regional Deputy Chief Immigration Judge of EOIR, and their interests are not implicated in Plaintiffs' motion to compel. Therefore, any reference to "Defendants" is limited to the agencies implicated in Plaintiffs' motion.

the broadcast email message was issued, OPLA understood a challenge to the new practices was likely and anticipated litigation. *See id.*

B. January 31 Email Broadcast (Entry 2 in Privilege Log)

On January 31, 2025, Acting Principal Legal Advisor Adam Loiacono issued an email broadcast message to all OPLA personnel, providing interim guidance on how to implement then Acting Secretary Huffman's January 23 Memorandum titled, *Guidance Regarding How to Exercise Enforcement Discretion*. Loiacono Decl. ¶¶ 7, 8. OPLA attorneys drafted the broadcast email message, which provided a summary of the memorandum along with legal analysis and guidance regarding litigation strategy and prosecutorial discretion. *Id.* ¶ 8. The email message also provided guidance for, and to be relayed to, OPLA's law enforcement clients. *See id.* At the time that the broadcast email message was issued, OPLA understood a challenge to the new practices was likely and anticipated litigation. *See id.*

C. March 5 Email Broadcast (Entry 3 in Privilege Log)

On March 5, 2025, Acting Principal Legal Advisor Loiacono issued an email broadcast message to all OPLA personnel, providing interim guidance on Acting Director of Immigration and Customs Enforcement Caleb Vitello's memorandum titled *Implementation Guidance for January 2025 Federal Register Notice, Designating Aliens for Expedited Removal*. Loiacono Decl. ¶¶ 9, 10. OPLA attorneys drafted the broadcast email message, which provided a summary of the memorandum along with legal analysis and guidance regarding litigation strategy and prosecutorial discretion. *Id.* ¶ 10. The email message also provided guidance for, and to be relayed to, OPLA's law enforcement clients. *See id.* At the time that the broadcast email message was issued. OPLA understood a challenge to the new practices was likely and anticipated litigation. *See id.*

II. The Parties' Meet-And-Confer Process

This dispute arose after Plaintiffs and the government (collectively "the Parties") informed the Court on how they intended to proceed. *See* Jt. Status Rep. (ECF No. 52). As part of that agreement, the government would produce the certified administrative records associated with each challenged policy and file the certified lists of the contents of the records by May 15, 2026. *See id.* at 2.[2] The Parties contemplated a meet-and-confer process should there be any disputes related to the administrative records, culminating in a newly proposed schedule should one be necessary. *See id.* at 3.

On May 15, 2026, the government produced the administrative records and filed the certified indices with the Court. *See* ECF Nos. 54, 55, 56. To the index at issue in this dispute, Defendants noted "[n]either the record nor the index reflects any documents protected in their entirety by privileges, such as attorney-client, attorney work product, and deliberative process," which did not appear in the other indices. *Compare* ECF No. 55 *with* ECF No. 54, 56. The certification of the relevant administrative record noted that "[t]he documents listed in the accompanying Administrative Record Index and contained in the files annexed hereto, constitute to the best of my knowledge and belief, a true and complete copy of all non-privileged documents and materials considered by ICE in issuing the May 20, 2025, Principal Legal Advisor Broadcast[.]" *See* Pls' Mot., Ex. 1 at 3.

On May 18, 2026, Plaintiffs raised their concerns with the administrative records. *See* Pls' Mot., Ex. 2 at 11-12. At the time, Plaintiffs raised four objections. *See id.* Relevant to the ongoing dispute, Plaintiffs objected to Defendants' production of the May 20, 2025 Broadcast message.

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[2] Citations are to the ECF-generated page numbers appearing in blue color in the top, right corner of each page.

See id. at 11. Defendants responded the next day, informing Plaintiffs that "the document is protected by the attorney-client privilege and is protected as being attorney work product," provided their legal basis for the position, and represented that the issues were under consideration. *See id.* at 10 (citing *All. for Retired Americans v. Bessent*, Civ. A. No. 25-0313 (CKK), 2025 WL 2576530, at *2 (D.D.C. Mar. 4, 2025)).

On May 21, 2026, Defendants sought clarification on one of the disputed points and represented that the outstanding disputes were still being reviewed. *See id.* at 10. Plaintiffs responded on Friday, May 22, at which time they first informed Defendants that they could not "wait until May 28, 2026 to seek judicial relief regarding the May 20 email." *See id.* at 8-9. Plaintiffs requested that Defendants produce an unredacted version of the May 20 email by noon, Tuesday, May 26. *See id.* at 9. Because government counsel was out of the office on that Friday, *see id.* at 10, Defendants responded the following day, informing Plaintiffs that the May 20 email issue was still under consideration, *see id.* at 6. In addition to reiterating that Defendants were "committed to resolving issues expeditiously[,]" they also noted they did not yet know the relief that Plaintiffs intended to seek and therefore could not provide their position on any motion. *See id.* Though Plaintiffs responded the same day, they did not mention what relief would ultimately be sought. *See id.* at 5.

On Tuesday, May 26, Defendants responded substantively to Plaintiffs' disputes and questions. *See id.* at 4. Defendants represented that they "require[d] additional time to provide a final position on the [May 20 email] issue." *Id.* The next day, Defendants informed Plaintiffs that the privilege assertions would be defended, providing a draft privilege log that described the three documents being withheld. *See id.* at 2; Pls' Mot., Ex. 3. Plaintiffs did not accept an invitation for

the Parties to continue discussions, including proposal of a briefing schedule. *See* Pls' Mot., Ex. 2 at 2; *see* Ex. A, attached hereto.[3]

Plaintiffs did not inform Defendants of the precise relief that they intended to seek in their motion to compel. *See* Ex. A; Pls' Mot., Ex. 2. Instead, Plaintiffs informed the Court of their "to file a motion to compel production of at least the unredacted decision memorandum[.]" *See* Notice of Record Dispute (ECF No. 57). In subsequent emails, Plaintiffs did not raise with Defendants that they intended to seek a court order compelling the production of documents other than the May 20 email. *See* Ex. A; Pls' Mot., Ex. 2.

This motion followed.

ARGUMENT

I. The Court Should Partially Deny the Motion for Failure to Comply with Local Civil Rule 7(m).

Plaintiffs failed to confer with Defendants on their motion to compel as it relates to the two documents withheld-in-full from the administrative record. That failure is sufficient for denying the motion in part. Plaintiffs may have arguably failed to confer adequately on the May 20 broadcast email because they failed to inform Defendants of any potential deficiencies in the privilege log or the relief that they seek. But Defendants acknowledge that the Parties were unlikely to reach an amicable resolution on that one document.

Local Civil Rule 7(m) requires that, "before filing any nondispositive motion in a civil action, counsel shall discuss the anticipated motion with opposing counsel in a good-faith effort to determine whether there is any opposition to the relief sought and, if there is, to narrow the areas of disagreement. [] A party shall include in its motion a statement that the required discussion

[3] Defendants have attached the email communication with Plaintiffs and counsel for purposes of completeness.

occurred, and a statement as to whether the motion is opposed." LCvR 7(m). The purpose of the Local Rule is to promote the resolution of as many litigation disputes as possible without court intervention, or at least to force the parties to narrow the issues that must be brought to the court. *United States ex rel. Pogue v. Diabetes Treatment Centers of Am.*, 235 F.R.D. 521, 529 (D.D.C. June 2, 2006) ("The obligation to confer may not be satisfied by perfunctory action, but requires a good faith effort to resolve the non-dispositive disputes that occur in the course of litigation."). Local Civil Rule 7(m) requires that the parties "try [] in good faith to achieve its objectives," and that they take "real steps to confer," which at least contemplates that "counsel will speak to each other." *See United States ex rel. K & R Ltd. P'ship v. Mass. Hous. Fin. Agency*, 456 F. Supp. 2d 46, 52 (D.D.C. 2006). If a party files a non-dispositive motion without certifying its compliance with Rule 7(m), the Court has discretion to deny the motion. *Alexander v. FBI*, 186 F.R.D. 185, 187 (D.D.C. 1999); *see also Campaign Legal Ctr. v. Iowa Values*, 710 F. Supp. 3d 35, 54-55 (D.D.C. 2024).

Relegated to a footnote, Plaintiffs represent that the Parties met and conferred about the issues in their motion. *See* Pls' Mot. at 7 n.2 (citing Exhibit 2). But the exhibit tells the full story, namely that Plaintiffs limited their conferral to the May 20 Broadcast message. *See* Pls' Mot., Ex. 2 (ECF No. 59-2) at 2-12. On May 27, 2026, Defendants provided a privilege log, which mentioned the two additional documents withheld-in-full. There were no more email exchanges related to those documents specifically or the privilege log, which Defendants expressly noted was a draft in both the email and on the document. *See* Pls' Mot., Ex. 2 at 2 ("Attached is a draft privilege log…"); *see id.* ("Defendants reserve the right to amend the log as necessary moving forward."); *see* Pls' Mot., Ex. 3 (labeled "****DRAFT****" in the bottom corners). Plaintiffs did not ask any further questions after receiving the email. They did not raise any concerns about the draft privilege

log with Defendants following service. This hardly constitutes a conferral "in good faith in an effort to resolve" the dispute "before bringing it to the Court's attention." Standing Order (ECF No. 4), ¶ 10.

Plaintiffs offer no explanation as to why they failed to confer about the remaining two documents. Their silence is telling given that Defendants provided Plaintiffs with a draft privilege log on May 27, 2026, and there were no communications after. *See* Pls' Mot., Ex. 2 at 2. Plaintiffs cannot reasonably argue that they did not have an opportunity to confer with Defendants about the remaining two documents, because Plaintiffs emailed Defendants to obtain their position on the motion to hold the summary judgment briefing in abeyance pending resolution of the motion to compel. *See* Ex. A. Accordingly, their inaction falls well short of an attempt "in good faith to achieve [Plaintiffs'] objectives;" and it is also the complete opposite of the notion that "counsel will speak to each other." *Mass. Hous. Fin. Agency*, 456 F. Supp. 2d at 52.

Plaintiffs may respond by pointing to Defendants' "delay" in providing notice and the privilege log. But the Court should set aside this argument. Plaintiffs were on notice as of May 15, 2026, that privileged documents were not part of the record. *See* Pls' Mot., Ex. 1 (ECF No. 59-1) at 2, ¶ 3 (attesting to a "complete copy of all *non-privileged documents and materials*" being included in the produced administrative record).[4] Additionally, Defendants filed the certified index of the record and specifically noted "[n]either the record nor the index reflects any documents protected in their entirety by privileges, such as attorney-client, attorney work product, and deliberative process." *See* Certified Index to Administrative Record (ECF No. 55), filed May 15, 2026. The language in the index comes from case law. *See All. for Retired Americans* 2025 WL

[4] The certification of the administrative record is dated May 14, 2026. But Defendants produced it to Plaintiffs on May 15, 2026.

2576530, at *2. Plaintiffs can hardly argue that they were not on notice, especially when Defendants cited them to the very case using the nearly identical language. *See* Pls' Mot., Ex. 3 at 10 (email dated May 19, 2026). Moreover, Defendants took the affirmative step to include language in the pertinent index to ensure that Plaintiffs were on notice of a differentiating feature of the May 20 broadcast administrative record. *Compare* ECF No. 55 *with* ECF No. 54, 56.

Defendants' certification and the index both attest that "'the record is complete" and that they 'duly evaluated all predecisional documents before excluding them from the record.'" *All. for Retired Americans*, 2025 WL 2576530, at *2 (quoting *Oceana, Inc. v. Ross*, 920 F.3d 855, 865 (D.C. Cir. 2019). Defendants then "exclude[d] materials based on the attorney-client privilege [and] the attorney work-product doctrine" and "produce[d] a privilege log documenting the reasons for those exclusions." *Id.* (citing *Banks v. Off. of Senate Sergeant-At-Arms & Doorkeeper of U.S. Senate*, 471 F.3d 1341, 1343 (D.C. Cir. 2006)). Plaintiffs cannot hide behind their lack of diligence to argue lack of notice or excusal from Local Civil Rule 7(m).

Accordingly, the Court should deny Plaintiffs' motion in part for failure to confer.

II. The Withheld Documents are Subject to Attorney-Client Privilege.

All three documents are subject to the attorney-client privilege, and the Court should permit Defendants to withhold them in full.

The attorney-client privilege, the oldest of the common law privileges, exists to promote "full and frank communication between attorneys and their clients, and thereby promote broader public interests in the observance of law and administration of justice." *Upjohn v. United States*, 449 U.S. 383, 390 (1981). "The attorney-client privilege protects confidential communications made between clients and their attorneys when the communications are for the purpose of securing legal advice or services." *In re Lindsey*, 158 F.3d 1263, 1267 (D.C. Cir. 1998). The attorney-client privilege emphasizes the importance of confidentiality that is afforded to all communications

surrounding legal advice because it "reflects society's judgment that promotion of trust and honesty within the relationship is more important than the burden placed on the discovery of truth." *Coastal States Gas Corp. v. Dep't of Energy*, 617 F.2d 854, 862 (D.C. Cir. 1980). The purpose of the privilege is to protect a client's disclosures to foster the full and frank communications that are necessary for effective legal representation, and it applies to written as well as spoken communications. *Id.* The privilege extends to "'those disclosures necessary to obtain informed legal advice which might not have been made absent the privilege.'" *Id.*; *accord Upjohn*, 449 U.S. at 390 (the "privilege exists to protect not only the giving of professional advice to those who can act on it but also the giving of information to the lawyer to enable him to give sound and informed advice"). The scope of the privilege is not limited to the litigation context or to specific disputes; rather, it encompasses "all situations in which an attorney's counsel is sought on a legal matter." *Coastal States*, 617 F.2d at 862. The privilege "rests on the need for the advocate to know all that relates to the client's reasons for seeking representation if the professional mission is to be carried out." *Upjohn*, 449 U.S. at 389.

The attorney-client privilege protects from disclosure "confidential communications between an attorney and his client relating to a legal matter for which the client has sought professional advice." *Mead Data Central, Inc. v. Dep't of Air Force*, 566 F.2d 242, 252 (D.C. Cir. 1977). This privilege protects not only facts that a client provides an attorney, but also "any opinions given by an attorney to his client based on, and thus reflecting, those facts" and "communications between attorneys that reflect client-supplied information." *Elec. Privacy Info. Ctr. v. Dep't of Homeland Sec.*, 384 F. Supp. 2d 100, 114 (D.D.C. 2005) (citing *Coastal States*, 617 F.2d at 863).

The May 20 email constitutes an attorney-client communication between attorneys. Though the email was sent from the Principal Legal Advisor to OPLA personnel, it does inform the recipients on how and when to communicate certain information to OPLA's law enforcement clients. *See* Loiacono Decl. ¶ 11. Specifically, it discusses legal analysis and guidance related to expedited removal, litigation strategy, and considerations for prosecutorial discretion, all of which would also be relayed to law enforcement clients. *See id.* In other words, the email certainly constitutes a directive on the contents of future attorney-client communications on how certain legal decisions will be made; that sounds in typical attorney-client communications. *See Public Citizen, Inc. v. Dep't of Educ.*, 388 F. Supp. 3d 29, 42 (D.D.C. 2019) ("While the general fact of legal consultation is generally not privileged, information that would reveal the substance of a client's request for legal advice remains privileged" (citing *Colton v. United States*, 306 F.2d 633, 636-38 (2d Cir. 1962)). The remaining two broadcast messages are protected by the privilege for the same reasons. *See* Loiacono Decl. ¶¶ 8, 10.

That the emails were sent by the Acting Principal Legal Advisor to the agency attorneys does not gut the attorney-client privilege. *Contra* Pls' Mot. at 12-14. As Judge Howell previously recognized, the attorney-client privilege applies where it "reflect[s] confidential communications 'seeking and/or providing legal advice' or communications 'among agency attorneys within OCC discussing legal advice that they would subsequently provide to agency staff." *Judge Rotenberg Educ. Ctr., Inc. v. FDA*, 376 F. Supp. 3d 47, 62 n.4 (D.D.C. 2019). "[T]he [attorney-client] privilege is not lost because an attorney consults other attorneys about the subject matter of the communication." *Mead Data Cent.*, 566 F.2d at 253, n.24. In this instance, all three broadcasts were drafted by attorneys, for attorneys and clients, and contained the requisite legal analysis for such guidance. *See* Loiacono Decl. ¶¶ 8, 10, 11.

The Court should not be persuaded by Plaintiffs' likely argument that the accompanying declaration is improper. To start, Plaintiffs did not request a declaration after Defendants served the draft privilege log, so their argument is a logical consequence of Plaintiffs' strategic decision to not engage in a proper meet-and-confer. *Cf. Lykins v. Ass. Att'y Gen. Rose*, 608 F. Supp. 693, 696 (D.D.C. 1984) (acknowledging that "litigation strategy and judgment" may have consequences to legal theories being advanced). But even if the Court was inclined to overlook Plaintiffs' strategic decisionmaking, declarations routinely accompany privilege assertions and are relied on in determining whether the documents in question are indeed privileged. *See, e.g., Agility Pub. Warehousing Co. K.S.C. v. Dep't of Def.*, 110 F. Supp. 3d 215, 224 (D.D.C. 2015) ("Poling's declaration confirms that DLA properly applied the attorney-client privilege to the disputed documents."); *Klivington v. Dep't of Air Force*, Civ. A. No. 23-0402 (RDM), Apr. 23, 2025, Mem. Op., ECF No. 69 at 19-21 (relying favorably upon a declaration submitted by the Air Force in opposing a motion to pierce the attorney-client privilege and work product in the context of a record review challenge).

III. The Emails are Protected by the Attorney-Work Product Doctrine

Likewise, all three documents are also protected by the attorney-work product doctrine. The attorney work-product doctrine protects "the mental impressions, conclusions, opinions, or legal theories of an attorney," as well as "factual materials prepared in anticipation of litigation." *Tax Analysts v. IRS*, 117 F.3d 607, 620 (D.C. Cir. 1997) (quotation marks omitted). This rule is rooted in the principle that "it is essential that a lawyer work with a certain degree of privacy, free from unnecessary intrusion by opposing parties and their counsel." *Hickman v. Taylor*, 329 U.S. 495, 510 (1947).

Thus, "[a]ny part of [a document] prepared in anticipation of litigation, not just the portions concerning opinions, legal theories, and the like, is protected by the work[-]product doctrine." *Id.*

Courts employ a "because of" test to determine whether a document was created in anticipation of litigation, determining "whether, in light of the nature of the document and the factual situation in the particular case, the document can fairly be said to have been prepared or obtained because of the prospect of litigation." *United States v. Deloitte LLP*, 610 F.3d 129, 137 (D.C. Cir. 2010). "For a document to meet this standard, the lawyer must at least have had a subjective belief that litigation was a real possibility, and that belief must have been objectively reasonable." *In re Sealed Case*, 146 F.3d 881, 884 (D.C. Cir. 1998) (noting litigation must be the "primary object of attention"). "The inquiry contains two related, but nevertheless distinct concepts—one a question of timing and the other a question of intent." *In re Veiga*, 746 F.Supp.2d 27, 35 (D.D.C. 2010).

The May 20 email falls within the ambit of the attorney-work product doctrine. The email provides a playbook for OPLA attorneys on how it should go about implementing, nationwide, new practices related to expedited removal proceedings. *See* Loiacono Decl. ¶ 11. In other words, the May 20 email is "practical how-to advice" regarding the nationwide implementation of expedited removal and how to handle that litigation in immigration courts. *See Nat'l Ass'n of Criminal Defense Lawyers v. Dep't of Justice Exec. Office for the United States Attorneys*, 844 F.3d 246, 252 (D.C. Cir. 2016) (applying similar analysis to document). Indeed, *Nat'l Ass'n of Criminal Defense Lawyers* is instructive here. There, the D.C. Circuit concluded that the Blue Book, the document at issue, "impart[ed] litigation strategy to lawyers," because it advised on "criminal discovery practices, potential strategic and logistical concerns, interpretations of law and risk assessments in light of relevant legal authority, practice notes, techniques, procedures, and legal strategies that in-the-field prosecutors may and do employ during the course of criminal proceedings." *Id.* at 256. The May 20 broadcast message is similar to the Blue Book. *See* Loiacono Decl. ¶ 11. The same is true for the other two emails. *See* Loiacono Decl. ¶¶ 8, 10.

All three documents were prepared in anticipation of litigation. *See* Loiacono Decl. ¶¶ 8, 10, 11. In preparing each email, the Acting Principal Legal Advisor understood that litigation over expedited removal was likely. *See id.* ¶¶ 8, 10, 11. That belief was reasonable given the other litigation surrounding expedited removal and its purported expansion. *See, e.g.*, *Make the Road v. Noem*, 805 F. Supp. 3d 139, 152 (D.D.C. 2025) (recounting a ramp up in enforcement operations as of May 2025). Moreover, the issue of subjecting individual aliens to detention under 8 U.S.C. § 1225(b), as opposed to § 1226(a), has inundated courts around the country for well over a year now. *See, e.g.*, *Buenrostro-Mendez v. Bondi*, 166 F.4th 494, 507-08 (5th Cir. 2026); *Avila v. Bondi*, 170 F.4th 1128, 1137-38 (8th Cir. Mar. 25, 2026). Therefore, there was an objective basis to anticipate litigation.

Defendants do not dispute that the work-product doctrine is qualified and therefore permits production under certain circumstances. *See United States v. AT&T Co.*, 642 F.2d 1285, 1302 (D.C. Cir. 1980) ("Finally, the work product privilege is a qualified privilege which may be overridden by a showing of substantial need by the requesting party."). Plaintiffs' argument for substantial need would effectively swallow the rule. *See* Pls' Mot. at 15 (arguing substantial need because they cannot show a legal violation otherwise). Put another way, Plaintiffs propose a rule in which a party can challenge any document that is protected by the attorney-work-product doctrine and then pierce it because its presence in full is necessary for the purposes of litigation. That cannot be how the doctrine works or was meant to work.

As the party seeking production of protected papers, Plaintiffs have the burden to show substantial need or lack of a substantial equivalent. *See McPeek v. Ashcroft*, 202 F.R.D. 332, 339 (D.D.C. 2001) ("The burden now shifts to plaintiff to show a substantial need for them and an inability to secure the substantial equivalent by some other means."). All Plaintiffs offer are

conclusory arguments that they "cannot file a meaningful summary judgment brief showing how the policies violate the Administrative Procedure Act without knowing the specific content of the policies" and nor do they have "other reasonable avenue to obtain the policies." Pls' Mot. at 15-16. Plaintiffs decline to make any specific arguments as to why the remainder of the administrative record does not provide for a "substantial equivalent of the materials" that they seek. *In re Sealed Case*, 676 F.2d 793, 808 n. 49 (D.C. Cir. 1982). That should be the death knell in Plaintiffs' motion.

CONCLUSION

For these reasons, the Court should deny Plaintiffs' motion to compel.

Dated: June 10, 2026

Respectfully submitted,

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UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

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[PROPOSED] ORDER

UPON CONSIDERATION of Plaintiffs' motion to compel and Defendants' opposition, and the entire record herein, it is hereby

ORDERED that Plaintiffs' motion is DENIED.

SO ORDERED:

Date

TREVOR N. McFADDEN
United States District Judge