

# Perkins Coie’s Motion for Summary Judgment in District Court: What to Know

April 2, 2025

**What was filed?** Today, Perkins Coie filed a motion in federal court seeking to permanently block enforcement of the unconstitutional Executive Order targeting our firm. This 45-page summary judgment motion is supported by a Statement of Facts and supporting declarations from knowledgeable witnesses.

**What are we asking the Court to do?** The Court temporarily blocked the Order’s enforcement on March 12, finding that we are likely to succeed and had suffered irreparable harm. Our motion today seeks a final injunction. It details the threat posed by the Order to core constitutional freedoms and our adversarial system of justice. Since our initial filing, we have made clear our resolve in protecting our firm, safeguarding the interests of our clients, and upholding the rule of law. Today’s motion asks the Court permanently to prohibit the unconstitutional Executive Order from ever taking effect.

**Why is the Executive Order unconstitutional?** Our motion explains how the Executive Order violates First Amendment rights protecting speech, association, and petitioning; sanctions us without even a pretense of due process; interferes with rights to counsel; violates the separation of powers; and jettisons guarantees of equal protection.

**What comes next?** Opposition briefs are due on April 16, 2025, followed by reply briefs on April 18. The Court will decide whether to hold an argument sometime during the week of April 21.

## **Notable excerpts from today’s Motion for Summary Judgment**

- “To protect the rights of all Americans, lawyers must be free to do their jobs without fear of government retribution. Otherwise, lawyers would ‘become nothing more than parrots of the views of whatever group wields government power at the moment.’ (citation omitted) . . . The Order, like similar ones directed at other large law firms, takes a wrecking ball to these principles.” (Motion p. 1)
- “The Constitution does not permit our elected leaders, from any party, to punish lawyers by fiat for representing clients who oppose their political agendas. It would set a grave precedent for our Republic if the Order were allowed to stand.” (Motion p. 2)
- “In the Order, the President summarily punishes Perkins Coie for representing clients whom he views as political opponents and for advocating positions he dislikes. Such an order—

which effectively functions as a bill of attainder—is wholly bereft of constitutional or statutory authority and invades the province of the Judiciary.” (Motion p. 31)

- “[I]nvo[ki]ng ‘national security’ . . . is not a ‘talisman’ that permits the Executive to exercise unreviewable powers. (citation omitted) . . . [E]ven if national security concerns were at stake here (they are not), the President could not assume the mantle of judge and jury to punish the law firm.” (Motion pp. 33-34)
- “There is no public interest in having agencies implement a blatantly illegal order, like the present one. (citation omitted) . . . But there is a ‘substantial public interest’ in having governmental agencies ‘abide’ by the law. *Id.* (citation omitted).” (Motion p. 44)
- “If the Order stands, nothing will prevent the President from punishing even more firms and cowing them into submission, as he already has succeeded in doing. The public interest—and the very functioning of our democracy—demand a permanent injunction.” (Motion p. 45)

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For the latest updates and developments related to the Executive Order targeting our firm, please visit [perkinscoiefacts.com](https://perkinscoiefacts.com).

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