

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

PERKINS COIE LLP,

Plaintiff,

v.

U.S. DEPARTMENT OF JUSTICE, *et al.*,

Defendants.

Case No. 1:25-cv-00716 (BAH)

Judge Beryl A. Howell

**[PROPOSED] ORDER GRANTING PLAINTIFF’S MOTION FOR SUMMARY
JUDGMENT, DENYING DEFENDANTS’ MOTION TO DISMISS,
AND ENTERING DECLARATORY AND INJUNCTIVE RELIEF**

Upon consideration of plaintiff’s motion for summary judgment, ECF No. ___, defendants’ cross motion to dismiss, ECF No. ___, the parties’ respective legal memoranda, declarations, and exhibits submitted in support of or in opposition to each motion, and the entire record herein, for the reasons set forth in the accompanying Memorandum Opinion, it is hereby--

ORDERED that plaintiff’s motion for summary judgment, ECF No. ___, is **GRANTED**; it is further

ORDERED that defendants’ motion to dismiss, ECF No. ___, is **DENIED**; it is further

DECLARED that Executive Order 14230, 90 Fed. Reg. 11781 (Mar. 11, 2025), issued by the President on March 6, 2025, entitled “Addressing Risks from Perkins Coie LLP,” is unlawful because it violates the First, Fifth, and Sixth Amendments to the U.S. Constitution, exceeds the President’s constitutional authority under Article II, and violates the separation of powers. The Order therefore is null and void; it is further

ORDERED that:

(1) defendants are permanently **ENJOINED** from implementing or enforcing Executive Order 14230 in any way;

(2) defendants are permanently **ENJOINED** from using or considering in any way or for any purpose the statements laid out in Section 1 of Executive Order 14230, including but not limited to in any interactions with plaintiff or plaintiff's clients or with employees or other personnel of plaintiff or plaintiff's clients;

(3) defendants U.S. Department of Justice; Pamela Bondi, in her official capacity as U.S. Attorney General; the Office of Management and Budget; and Russell Vought, in his official capacity as Director of the Office of Management and Budget, are **DIRECTED** additionally to immediately issue direction, which shall include a copy of this Order, to all defendants, departments, agencies and other entities subject to Executive Order 14230, including their respective officers, staff, employees and contractors, to:

- (a) rescind any implementation or enforcement of Executive Order 14230, including any use, consideration, or reliance on the statements in Section 1 of the Order;
- (b) rescind all formal or informal guidance or other direction provided to officers, staff, employees, or contractors to communicate, effectuate, implement, or enforce Executive Order 14230 in whole or part, including Sections 2 and 4 that were not subject to this Court's Temporary Restraining Order, ECF No. 21;
- (c) disregard Executive Order 14230 in its entirety, including the statements in Section 1 of the Order, in their dealings with Perkins Coie LLP¹ and personnel

¹ Perkins Coie LLP includes its affiliates, predecessors, successors, assigns, directors, officers, partners, employees, and agents.

or clients known or believed by them to be associated with Perkins Coie LLP, and carry on with their ordinary course of business absent Executive Order 14230;

- (d) immediately communicate to every recipient of a formal or informal request for disclosure of any relationship with Perkins Coie LLP or any person associated with the firm, made pursuant Executive Order 14230, that such request is permanently rescinded; and cease making such requests for disclosure pursuant to Executive Order 14230;
- (e) cease any security clearance review, made or initiated pursuant to Sections 1 or 2(a) of Executive Order 14230, and to reverse any suspension or revocation of any active security clearances, made pursuant to Sections 1 or 2(a) of Executive Order 14230, although nothing in this Order shall bar defendants from suspending or revoking any security clearances for reasons other than the general policy announced in Executive Order 14230, an association with Perkins Coie LLP, or the reasons embodied in Section 1 of Executive Order 14230;
- (f) act in good faith to take such other steps as are necessary to prevent the implementation or enforcement of Executive Order 14230 and to reverse any implementation or enforcement of Executive Order 14230 that has occurred or is occurring;
- (g) comply with all forms of relief in this Order directed to defendants; and
- (h) the direction shall also notify all recipients of the direction that they are bound by the Court's order, under penalty of contempt.

For the avoidance of doubt, the recipients of the foregoing direction shall include, but not be limited to, (i) defendants; (ii) the departments, agencies and other entities listed on Appendix A hereto; (iii) any other departments, agencies, and entities that received Executive Order 14230 or guidance related to Executive Order 14230; and (iv) any officers, staff, employees and contractors of any of the foregoing who were provided with Executive Order 14230 or guidance related to Executive Order 14230;

(4) defendants are **DIRECTED** to rescind all formal or informal guidance or other direction provided to officers, staff, employees, or contractors of the federal government to communicate, effectuate, implement, or enforce Executive Order 14230, including Sections 2 and 4 that were not subject to this Court's Temporary Restraining Order, ECF No. 21;

(5) defendants are **DIRECTED** immediately to notify all officers, staff, employees, and contractors subject to Executive Order 14230 that Executive Order 14230 is unlawful, null and void in its entirety and therefore should be disregarded, including all prior formal or informal advice, opinions, or direction previously received or communicated to effectuate, implement, or enforce Executive Order 14230, and that all departments, agencies, officers, staff, employees, and contractors of the federal government should carry on with their ordinary course of business with Perkins Coie LLP, its personnel, and clients and their personnel known or believed by them to be associated with Perkins Coie LLP, absent Executive Order 14230;

(6) defendants are **DIRECTED** to immediately (a) communicate to every recipient of a formal or informal request for disclosure of any relationship with Perkins Coie LLP or any person associated with the firm, made pursuant to Section 3(a) of Executive Order 14230, that such request is permanently rescinded; and (b) cease making such requests for disclosure, pursuant to Section 3(a) of Executive Order 14230;

(7) defendants are **DIRECTED** to cease any security clearance review, made pursuant to Sections 1 or 2(a) of Executive Order 14230, and to reverse any suspension or revocation of any active security clearances, made pursuant to Sections 1 or 2(a) of Executive Order 14230, although nothing in this Order shall bar defendants from suspending or revoking any security clearances for reasons other than the general policy announced in Executive Order 14230, an association with Perkins Coie LLP, or the reasons embodied in Section 1 of Executive Order 14230;

(8) defendants the Office of Management and Budget and Russell Vought, in his official capacity as director of OMB, are **DIRECTED** to identify all government goods, property, material, and services, provided for the benefit of Perkins Coie LLP, that were previously identified pursuant to Section 2(b) of Executive Order 14230, and to immediately issue direction to the relevant heads of agencies that they are to reverse any cessation of the provision of such material or services, if such cessation was done pursuant to Executive Order 14230;

(9) defendants U.S. Department of Justice; Pamela Bondi in her official capacity as U.S. Attorney General; Equal Employment Opportunity Commission; and Andrea R. Lucas, in her official capacity as Acting Chair of the EEOC, are **DIRECTED** immediately to cease any investigation of Perkins Coie LLP made pursuant to Section 4 of Executive Order 14230, and to withdraw any requests for information from Perkins Coie LLP or other investigative steps made pursuant to Section 4 of Executive Order 14230, including defendant Lucas's March 17, 2025 letter titled "Review of Perkins Coie LLP's Compliance with Title VII of the Civil Rights Act of 1964";

(10) defendants are **ORDERED** that they must, in good faith, take such other steps as are necessary to prevent the implementation or enforcement of Executive Order 14230 and to reverse

any implementation or enforcement of Executive Order 14230 that has occurred or is occurring;
and

(11) defendants are **ORDERED** to file a status report within 2 business days of this Order describing the steps taken to ensure compliance with this Order and certifying compliance with its requirements; and it is further

ORDERED that this Court shall retain jurisdiction to enforce this Order.

SO ORDERED.

Dated: _____

BERYL A. HOWELL
United States District Judge

Appendix A

- Administration for Strategic Preparedness and Response
- Advisory Council on Historic Preservation
- Biomedical Advanced Research and Development Authority
- Bonneville Power Administration
- Bureau of the Census
- Bureau of Economic Analysis
- Bureau of Indian Affairs
- Bureau of Industry and Security
- Bureau of Land Management
- Bureau of Ocean Energy Management
- Bureau of Reclamation
- Bureau of Safety and Environmental Enforcement
- CHIPS Program Office
- Committee on Foreign Investment in the United States
- Commodity Futures Trading Commission
- Consumer Financial Protection Bureau
- Defense Contract Audit Agency
- Defense Contract Management Agency
- Defense Logistics Agency
- Department of Agriculture
- Department of the Army
- Department of Commerce
- Department of Defense
- Department of Energy (including Oak Ridge National Laboratory)
- Department of Health & Human Services
- Department of Homeland Security
- Department of the Interior
- Department of Justice (including Antitrust, CCIPS, Civil, Fraud)
- Department of Labor
- Department of State
- Department of Transportation
- Department of Toxic Substance Controls
- Department of the Treasury
- Department of Veterans Affairs
- Directorate of Defense Trade Controls
- Drug Enforcement Administration
- Environmental Protection Agency
- Equal Employment Opportunity Commission
- Executive Office of the President (including CEQ, OMB, and OSTP)
- Fannie Mae and Freddie Mac
- Federal Aviation Administration
- Federal Bureau of Investigation

- Federal Bureau of Prisons
- Federal Communications Commission
- Federal Deposit Insurance Corporation
- Food & Drug Administration
- Federal Election Commission
- Federal Emergency Management Agency
- Federal Energy Regulatory Commission
- Federal Highway Administration
- Federal Permitting Improvement Steering Council
- Federal Transit Administration
- Financial Crimes Enforcement Network
- Financial Industry Regulatory Affairs
- Government Accountability Office
- Grid Deployments Office
- Housing and Urban Development
- Internal Revenue Service
- International Trade Administration
- Loan Programs Office
- National Institutes of Health
- National Labor Relations Board
- National Marine Fisheries Service
- National Oceanic and Atmospheric Administration
- National Park Service
- National Renewable Energy Lab
- Office of Clean Energy Demonstrations
- Office of Federal Contract Compliance Programs
- Office of Foreign Assets Control
- Office of the Comptroller of the Currency
- Office of the U.S. Trade Representative
- Pacific States Marine Fisheries Commission
- Patent Trial & Appeal Board
- Rural Utilities Service
- Securities & Exchange Commission
- Small Business Administration
- Trademark Trial & Appeal Board
- U.S. Army Corps of Engineers
- U.S. Attorney's Offices
- U.S. Copyright Office
- U.S. Citizenship and Immigration Services
- U.S. Customs and Border Protection
- U.S. Fish & Wildlife Service
- U.S. Forest Service
- U.S. Immigration and Customs Enforcement
- U.S. International Trade Commission

- U.S. Patent & Trademark Office
- U.S. Postal Inspection Service
- U.S. Secret Service