

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

**PLAINTIFF’S MOTION FOR SUMMARY JUDGMENT
AND DECLARATORY AND PERMANENT INJUNCTIVE RELIEF**

Pursuant to Rule 56 of the Federal Rules of Civil Procedure, Plaintiff Perkins Coie LLP, by undersigned counsel, respectfully moves for summary judgment against all Defendants on all claims. Plaintiff respectfully requests this Court declare that Executive Order 14230, entitled “Addressing Risks from Perkins Coie LLP,” 90 Fed. Reg. 11781, issued by the President on March 6, 2025, and published on March 11, 2025, 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. Plaintiff further respectfully requests this Court permanently enjoin Defendants from implementing or enforcing Executive Order 14230 in any way and grant the related relief described in the attached proposed order.

Pursuant to the Court’s Order on streamlined procedures (ECF 175), the grounds for this motion are set forth in Plaintiff’s previously filed Memorandum of Law in Support of Plaintiff’s Motion for Summary Judgment and Declaratory and Permanent Injunctive Relief and supporting statement of material facts, declarations, expert reports and exhibits (ECF 39-1 to 39-8); its previously filed Reply Memorandum in Support of Plaintiff’s Motion for Summary Judgment and Declaratory and Permanent Injunctive Relief and supporting reply declaration and exhibits (ECF

148 & 148-1); and the arguments of its counsel during the prior motions hearing on April 23, 2025 (ECF 169; 4/23/2025 Tr.). A proposed order describing with more particularity the relief sought is attached hereto.

Dated: April 30, 2025

Respectfully submitted,

WILLIAMS & CONNOLLY LLP

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** DDC bar application pending*

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[PROPOSED] ORDER

Upon consideration of plaintiff's Motion for Summary Judgment and Declaratory and Permanent Injunctive Relief, ECF No. ____; defendants' Motion to Dismiss and for Expedited Judgment, 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 and Declaratory and Permanent Injunctive Relief, ECF No. ____, is **GRANTED**; it is further

ORDERED that defendants' Motion to Dismiss and for Expedited Judgment, 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 government contractors or with employees or other personnel of plaintiff or government contractors;

(3) defendants are **DIRECTED** to rescind all formal or informal guidance or other direction provided to officers, staff, employees, or independent 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;

(4) defendants are **DIRECTED** immediately to notify all officers, staff, employees, and independent 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 independent contractors of the federal government should carry on with their ordinary course of business with Perkins Coie LLP,¹ its personnel, and clients and their personnel known or believed by them to be associated with Perkins Coie LLP, absent Executive Order 14230;

(5) 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

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

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 independent of 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;

(6) defendants the Office of Management and Budget and Russell Vought, in his official capacity as director of the Office of Management and Budget, 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;

(7) 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 Sections 2(b) or 3(a) of Executive Order 14230, that such request is permanently rescinded, the recipient need not respond to such request, and there shall be no consequences for not responding to such request; (b) cease making such requests for disclosure; and (c) segregate and disregard any responses received to such requests for disclosure;

(8) 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 Equal Employment Opportunity Commission, 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 Sections 1 or 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";

(9) 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;

(10) 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

- (a) provide a copy of this Order to all defendants, any other departments, agencies, and entities that received Executive Order 14230 or guidance related to Executive Order 14230, and the respective officers, staff, employees and independent contractors of any of the foregoing who were provided with Executive Order 14230 or guidance related to Executive Order 14230;
- (b) direct the recipients to comply with the terms of this Order; and
- (c) notify all recipients that they are required to comply with this Order, under penalty of contempt; and
- (d) provide counsel for plaintiff with a copy of such communication(s);

(11) the defendant officers named in their official capacities are personally responsible for their respective agencies' compliance with this Order; and it is further

ORDERED that this Court shall retain jurisdiction to enforce or modify this Order; and it is further

ORDERED that the Clerk of the Court shall close this case.

SO ORDERED.

Dated: _____

This is a final and appealable order.

BERYL A. HOWELL
United States District Judge