

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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STATE OF NEW YORK, et al.,	:	
	:	
Plaintiffs,	:	25-CV-01144 (JAV)
	:	
-v-	:	<u>ORDER</u>
	:	
DONALD J. TRUMP, <i>in his official capacity as</i>	:	
<i>President of the United States</i> , et al.,	:	
	:	
Defendants.	:	
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JEANNETTE A. VARGAS, United States District Judge:

In advance of the preliminary injunction hearing scheduled for February 14, 2025, the Court hereby ORDERS the parties to meet and confer with respect to the following questions:

- 1) Whether good cause exists to continue the Temporary Restraining Order entered on February 8, 2025 (ECF No. 6), and modified by the Order entered on February 11, 2025 (ECF No. 28), in either its current or modified form, during the pendency of proceedings on Plaintiffs’ motion for a preliminary injunction;
- 2) Whether, in connection with the motion for a preliminary injunction, the Court’s consideration of the likelihood of success on Plaintiffs’ APA claims is confined to an administrative record compiled by the United States Department of the Treasury;
- 3) What is the proposed timing of the submission of a certified administrative record by the United States Department of the Treasury for the Court’s review;
- 4) Whether any party will be seeking expedited discovery in connection with the motion for a preliminary injunction, and if so, the nature of such discovery;
- 5) Whether any party requests an evidentiary hearing in connection with the motion for a preliminary injunction, and if so, the timing and anticipated length of such a

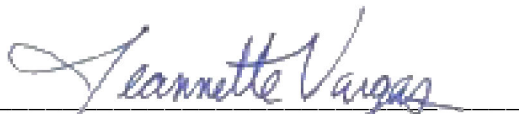
hearing;

- 6) Whether the Court should consolidate a hearing on the preliminary injunction motion with a trial on the merits, pursuant to Rule 65(a)(2) of the Federal Rules of Civil Procedure;
- 7) Whether Defendants intend to file a motion to dismiss or other dispositive motion, and if so, the anticipated bases of and a proposed briefing schedule for such motion; and
- 8) If Defendants intend to move to dismiss, whether Plaintiffs would anticipate amending their complaint as of right, pursuant to Rule 15(a)(1)(B) of the Federal Rules of Civil Procedure.

By **noon on February 13, 2025**, the parties should submit a joint letter not to exceed 14 single-spaced pages in length, setting forth the parties' agreement or, if no agreement is reached, their respective positions on each of these questions. The joint letter should address each of these questions separately, in subparts set forth under the reproduced question.

SO ORDERED.

Dated: February 11, 2025  
New York, New York

  
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JEANNETTE A. VARGAS  
United States District Judge