

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA**

RICHARD BLUMENTHAL et al.,	)	
	)	
	)	
<i>Plaintiffs,</i>	)	
	)	
v.	)	Case No. 18-cv-2143
	)	
U.S. NATIONAL ARCHIVES AND RECORDS	)	
ADMINISTRATION et al.,	)	
	)	
<i>Defendants.</i>	)	

**PLAINTIFFS’ MOTION FOR A TEMPORARY RESTRAINING ORDER  
OR PRELIMINARY INJUNCTION**

Pursuant to Federal Rule of Civil Procedure 65 and Local Rule 65.1, Plaintiffs respectfully move this Court to issue a temporary restraining order, or in the alternative, a preliminary injunction, enjoining Defendants the U.S. National Archives and Records Administration (“NARA”) and the U.S. Central Intelligence Agency (“CIA”) from unlawfully impeding Plaintiffs’ access to records that must be made available under the Freedom of Information Act, 5 U.S.C. § 552 (“FOIA”). Plaintiffs seek injunctive relief ordering Defendant NARA to expedite the processing of Plaintiffs’ pending FOIA request. Plaintiffs’ requests seek records related to Supreme Court nominee Judge Brett Kavanaugh’s past public service in the White House. Such records will allow Plaintiffs, members of the Senate Committee on the Judiciary, to fulfill their duties to properly scrutinize Judge Kavanaugh’s record, inform the public about his background and qualifications, engage in an exchange of information and views with their constituents concerning Judge Kavanaugh’s nomination, and participate in informed debate on his confirmation. Plaintiffs further seek injunctive relief ordering Defendants to search

for and produce all documents responsive to Plaintiffs' FOIA requests by such date as the Court deems appropriate.

The grounds for this motion are set forth in the accompanying Memorandum in Support of Plaintiff's Motion for a Temporary Restraining Order or Preliminary Injunction. Pursuant to Local Rule 65.1(a) and (d), Plaintiffs ask that the Court schedule a hearing on this motion at the Court's earliest convenience.

Dated: September 17, 2018

Respectfully submitted,

/s/ Elizabeth France  
Elizabeth France  
D.C. Bar No. 999851

/s/ John E. Bies  
John E. Bies  
D.C. Bar No. 483730

/s/ Austin R. Evers  
Austin R. Evers  
D.C. Bar No. 1006999

AMERICAN OVERSIGHT  
1030 15th Street NW, B255  
Washington, DC 20005  
(202) 897-2465  
beth.france@americanoversight.org  
john.bies@americanoversight.org  
austin.evers@americanoversight.org

*Counsel for Plaintiffs*

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U.S. NATIONAL ARCHIVES AND RECORDS	)	
ADMINISTRATION et al.,	)	
	)	
<i>Defendants.</i>	)	

**PROPOSED ORDER**

Upon consideration of Plaintiffs’ Motion for a Temporary Restraining Order or Preliminary Injunction, Defendants’ Response thereto, and the entire record, it is hereby

**ORDERED** that Plaintiff’s Motion for a Temporary Restraining Order or Preliminary Injunction is **GRANTED**; and it is further

**ORDERED** that Defendant U.S. National Archives and Records Administration shall expedite the processing of Plaintiffs’ FOIA request dated August 8, 2018; and it is further

**ORDERED** that Defendants the U.S. National Archives and Records Administration and the U.S. Central Intelligence Agency shall process Plaintiffs’ FOIA requests dated August 8, 2018; and it is further

**ORDERED** that Defendants the U.S. National Archives and Records Administration and the U.S. Central Intelligence Agency shall produce all records responsive to Plaintiffs’ FOIA requests dated August 8, 2018, within \_\_\_ days of the date of this order; and it is further

**SO ORDERED.**

Date: \_\_\_\_\_

\_\_\_\_\_  
United States District Judge

**CERTIFICATE OF SERVICE**

I hereby certify that on September 17, 2018, I caused a copy of the foregoing Memorandum in Support of Plaintiff's Motion for a Temporary Restraining Order Preliminary Injunction, including notice that the application was made at approximately 12:15 PM, along with copies of the Complaint and exhibits thereto, to be hand-delivered to defendants at the following addresses:

U.S. NATIONAL ARCHIVES AND RECORDS ADMINISTRATION  
8601 Adelphi Rd.  
College Park, MD 20740

U.S. CENTRAL INTELLIGENCE AGENCY  
Office of General Counsel  
1000 Colonial Farm Rd.  
McLean, VA 22101

In addition, a courtesy copy has been delivered to:

Jessie K. Liu  
U.S. Attorney for the District of Columbia  
555 4th Street NW  
Washington, DC 20530

Dated: September 17, 2018

/s/ Elizabeth France  
Elizabeth France  
D.C. Bar No. 999851  
AMERICAN OVERSIGHT  
1030 15th Street NW, B255  
Washington, DC 20005  
(202) 897-2465  
beth.france@americanoversight.org

*Counsel for Plaintiffs*