

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

AMERICAN OVERSIGHT,)	
)	
)	
<i>Plaintiff,</i>)	
)	
v.)	Case No. 17-848
)	
U.S. DEPARTMENT OF JUSTICE,)	
)	
<i>Defendant.</i>)	
)	

PLAINTIFF’S MOTION FOR A PRELIMINARY INJUNCTION

Pursuant to Federal Rule of Civil Procedure 65, Plaintiff American Oversight respectfully moves this Court to issue a preliminary injunction enjoining Defendant the U.S. Department of Justice (DOJ) from unlawfully impeding American Oversight’s access to records that must be made available under the Freedom of Information Act, 5 U.S.C. § 552 (FOIA). American Oversight seeks injunctive relief ordering DOJ to expedite the processing of American Oversight’s pending FOIA request. American Oversight’s request seeks records relating to the participation of the president’s pending nominee for solicitor general in an appeal where the nominee indicated he refrained from signing a brief because his former law firm appeared representing *amici* adverse to the government, but subsequently continued to participate in the appeal. American Oversight anticipates that the records sought would explain the decision by the nominee to refrain from signing the brief and his determination that his continued participation in the case was appropriate, and reveal the nominee’s approach to ensuring that his conduct conforms to ethics and conflict-of-interest requirements. American Oversight further seeks an injunction ordering DOJ to search for and produce all documents responsive to American Oversight’s expedited FOIA request 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 Preliminary Injunction. Pursuant to Local Rule 65.1(d), American Oversight asks that the Court schedule a hearing on this motion at the Court's earliest convenience.

Dated: May 9, 2017

Respectfully submitted,

/s/ Cerissa Cafasso

Cerissa Cafasso

D.C. Bar No. 1011003

AMERICAN OVERSIGHT

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Counsel for Plaintiff

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)	
)	
)	<i>Defendant.</i>
_____)	

PROPOSED ORDER

Upon consideration of Plaintiff’s Motion for a Preliminary Injunction, Defendant’s Response thereto, and the entire record, it is hereby

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

ORDERED that Defendant the U.S. Department of Justice shall expedite the processing of Plaintiff’s FOIA request dated April 7, 2017; and it is further

ORDERED that Defendant the U.S. Department of Justice shall produce all records responsive to Plaintiff’s FOIA request dated April 7, 2017 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 May 9, 2017, I caused a copy of the foregoing Motion for a Preliminary Injunction to be hand-delivered to defendant at the following address:

U.S. Department of Justice
950 Pennsylvania Avenue NW
Washington, DC 20530

In addition, a courtesy copy has been delivered to:

Channing Phillips
U.S. Attorney for the District of Columbia
555 4th Street NW
Washington, DC 20530

Dated: May 9, 2017

Respectfully submitted,

/s/ Cerissa Cafasso
Cerissa Cafasso
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