

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

LEAGUE OF UNITED LATIN AMERICAN
CITIZENS, et al.,

Plaintiffs,

v.

EXECUTIVE OFFICE OF THE
PRESIDENT, et al.,

Defendants.

Civil Action No. 25-cv-0946 (CKK)

DEMOCRATIC NATIONAL
COMMITTEE, et al.,

Plaintiffs,

v.

DONALD J. TRUMP, in his official capacity
as President of the United States, et al.,

Defendants.

Civil Action No. 25-cv-0952 (CKK)

ORAL HEARING REQUESTED

LEAGUE OF WOMEN VOTERS
EDUCATION FUND, et al.,

Plaintiffs,

v.

DONALD J. TRUMP, in his official capacity
as President of the United States, et al.,

Defendants.

Civil Action No. 25-cv-0955 (CKK)

**DEMOCRATIC PARTY PLAINTIFFS' COMBINED OPPOSITION TO DEFENDANTS'
MOTIONS FOR SUMMARY JUDGMENT ON ALL REMAINING CLAIMS AND CROSS
MOTION FOR PARTIAL SUMMARY JUDGMENT (PHASE II)**

Pursuant to Federal Rule of Civil Procedure 56, Local Civil Rule 7(h), and this Court’s September 2, 2025 Minute Order and June 20, 2025 Scheduling Order (ECF No. 141), Plaintiffs the Democratic National Committee, the Democratic Governors Association, the Democratic Senatorial Campaign Committee, the Democratic Congressional Campaign Committee, and the respective Democratic leaders of the U.S. Senate and U.S. House of Representatives, Charles E. “Chuck” Schumer and Hakeem S. Jeffries (“Democratic Party Plaintiffs”), respectfully move for partial summary judgment on several counts challenging provisions of Executive Order 14,248 (“EO” or “Executive Order”), including Counts I, II, III, IV, and IX.

Specifically, the Democratic Party Plaintiffs seek a final judgment declaring that EO §§ 2(d), 3(d), 4(a), 7(a), and 7(b) are legally void as *ultra vires* and unconstitutional violations of the separation of powers. They further seek a permanent injunction prohibiting enforcement of those provisions. *See, e.g., Am. Forest Res. Council v. United States*, 77 F.4th 787, 796 (D.C. Cir. 2023); *U.S. Chamber of Com. v. Reich*, 74 F.3d 1322, 1328 (D.C. Cir. 1996); *Collins v. Yellen*, 594 U.S. 220, 245 (2021). As set forth in more detail in the accompanying memorandum, there is no genuine dispute of material fact as to these claims, and the Democratic Party Plaintiffs have demonstrated that they are entitled to judgment as a matter of law.

Further, the Democratic Party Plaintiffs seek partial judgment holding unlawful and setting aside final agency actions taken by the Federal Defendants pursuant to EO §§ 2(b)(i), 2(b)(iii), and 3(a) to update the Systematic Alien Verification for Entitlements (SAVE) system to facilitate inquiries of U.S.-born citizens by state and local officials, because those actions violate the Privacy Act. *See* 5 U.S.C. §§ 552a, 706(2). The Democratic Party Plaintiffs seek a corresponding permanent injunction enjoining the Federal Defendants’ implementation and use of the updated SAVE system.

While the Federal Defendants have moved for summary judgment as to other claims and challenged provisions, resolution of those issues is either premature or precluded by genuine disputes of material facts, as explained both in the Democratic Party Plaintiffs' memorandum and the accompanying Rule 56(d) declaration.¹

This Motion is supported by the memorandum of points and authorities, the statement of material facts required by Local Rule 7(h), and the declarations and other documentary evidence attached thereto as exhibits. A proposed order is attached.

Dated: September 17, 2025

Respectfully submitted,

/s/ Aria C. Branch

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**Admitted pro hac vice*

¹ Separately, by joint stipulation with all other parties to this consolidated matter, the Democratic Party Plaintiffs voluntarily dismissed without prejudice their claims as to § 4(b), § 4(c), and § 4(d) of the Executive Order. *See* ECF No. 193.