

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

NAMOD PALLEK *et al.*

Plaintiffs,

v.

Civil Action No. 1:25-cv-01650-JMC

BROOKE L. ROLLINS, in her official
capacity as U.S. Secretary of Agriculture, *et*
al.

Defendants.

PLAINTIFFS' MOTION FOR A TEMPORARY RESTRAINING ORDER

Pursuant to Local Civil Rule 65.1(a), Plaintiffs Namod Pallek, Julliana Samson, Diana Ramos, Catherine Hollingsworth, MAZON, Inc.: A Jewish Response to Hunger (“MAZON”), and Electronic Privacy Information Center (“EPIC”) hereby move for a temporary restraining order, to remain in effect until such time as the Court can further consider the merits of Plaintiffs’ claims, enjoining Defendants U.S. Secretary of Agriculture Brooke L. Rollins, the U.S. Department of Agriculture (“USDA”), Administrator of the Food and Nutrition Service James C. Miller, and the Food and Nutrition Service (“FNS”), from retrieving any Supplemental Nutrition Assistance Program (“SNAP”) applicant and recipient information from state governments, and directing Defendants to delete, destroy, or otherwise dispose of any information that has already been transferred by state governments.

As set forth in more detail in the accompanying memorandum, Defendants have demanded information about individuals applying for or receiving SNAP in violation of the

Privacy Act of 1974, the Paperwork Reduction Act of 1980, and the E-Government Act of 2002. Defendants' actions should be enjoined under the Administrative Procedure Act because they are contrary to law and arbitrary and capricious. Plaintiffs will suffer imminent and irreparable injury should unlawful access be permitted to continue.

Accordingly, the Court should issue a temporary restraining order:

(1) Enjoining Defendants Secretary Rollins, USDA, Administrator Miller, FNS, and their officers, agents, servants, employees, and attorneys from:

- enforcing the May 6, 2025 letter from Gina Brand to State Agency Directors (the "May 6, 2025 Letter");
- demanding, seeking, or otherwise requesting any SNAP applicant and recipient information from state governments or third-party EBT processors pursuant to the May 6, 2025 Letter; *and*
- receiving, collecting, or otherwise taking possession of any SNAP applicant and recipient information from state governments or third-party EBT processors pursuant to the May 6, 2025 Letter.

(2) Directing Defendants Secretary Rollins, USDA, Administrator Miller, FNS, and their officers, agents, servants, employees, and attorneys to immediately:

- direct states and third-party EBT processors not to comply with the May 6, 2025 Letter;
- refrain from reviewing, sharing, or using SNAP applicant or recipient data that has already been received or obtained because of the May 6, 2025 Letter;
- delete, destroy, or otherwise dispose of all information that has been received or obtained in response to the May 6, 2025 Letter;

- delete any systems that have been created to house the data; *and*
- ensure that any third parties to whom USDA has disclosed SNAP applicant or recipient data collected pursuant to the May 6, 2025 letter also delete, destroy, or otherwise dispose of all such information.

(3) Ordering Defendants Secretary Rollins, USDA, Administrator Miller, and FNS to file a status report with this Court by an appropriate date identified by the Court

- identifying all persons, agencies, and other entities who have had access to the data of SNAP applicants and recipients as described in the May 6, 2025 Letter;
- documenting the action they have taken to comply with this Order; *and*
- certifying compliance with the temporary restraining order.

Pursuant to Local Civil Rule 65.1(a), at approximately 12:45 PM on May 27, 2025, Plaintiffs' counsel emailed the three Assistant Directors for the Federal Programs Branch of the Department of Justice and the Chief of the Civil Division of the U.S. Attorney's Office in D.C. to provide them with electronic copies of the complaint, motion for a temporary restraining order, and accompanying memorandum, declarations, and proposed order via e-mail before completing this electronic filing.

Date: May 27, 2025

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Respectfully submitted,

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*Motion for Admission for *Pro Hac Vice*
Forthcoming

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