

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

PAULA BIRD, *et al.*, on behalf of
themselves and a class of those similarly
situated,

Plaintiffs,

v.

WILLIAM P. BARR,

Defendant.

No. 19-cv-1581 (KBJ)

ORDER

This Court has now reviewed the parties’ filings in connection with Plaintiffs’ motion seeking preliminary injunctive relief, and the cases cited therein. (*See* Mem. in Supp. of Pls.’ Mot. for a Prelim. Inj. For Protection from Retaliation, ECF No. 15; Def.’s Opp’n to Pls.’ Mot., ECF No. 16; Pls.’ Reply in Supp. of Pls.’ Mot. (“Pls.’ Reply”), ECF No 17.) For the reasons cited in the case of *Adair v. England*, 193 F. Supp. 2d 196 (D.D.C. 2002) (Urbina, J.), and in light of the allegations of the complaint in the instant matter, this Court finds that it does not have jurisdiction over the contentions that plaintiff Erika Wesley makes in her motion seeking preliminary injunctive relief. *See Adair*, 193 F. Sipp. 2d at 200 (denying motion seeking a preliminary injunction for lack of jurisdiction where “the only connections between the underlying lawsuit and the motion for a preliminary injunction are that both involve the plaintiffs and the defendants, and that the plaintiffs believe the defendants are retaliating against them because of the underlying lawsuit”); *see also* Pls.’ Reply at 11

(acknowledging that the complaint does not include the particular retaliatory events at issue in the motion and indicating that Plaintiffs intend to amend the complaint to include these events).¹

Accordingly, it is hereby

ORDERED that Plaintiffs' [15] Motion for a Preliminary Injunction for Protection from Retaliation is **DENIED WITHOUT PREJUDICE**, and the related Motion Hearing currently set for September 12, 2019, is **VACATED**. It is

FURTHER ORDERED that Plaintiffs shall file any motion for leave to amend their complaint or, if they secure Defendant's consent, any amended complaint, on or before September 20, 2019. *See* Fed. R. Civ. P. 15(a)(2).

DATE: September 10, 2019

Ketanji Brown Jackson
KETANJI BROWN JACKSON
United States District Judge

¹ Page numbers cited in this order refer to those that the Court's electronic filing system automatically assigns.