

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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THE CITY OF NEW YORK,

Plaintiff,

v.

DONALD TRUMP, in his official capacity as President of
the United States;

U.S. DEPARTMENT OF THE TREASURY;

SCOTT BESSANT, in his official capacity as Secretary of
the Treasury;

PATRICIA COLLINS, in her official capacity as Treasurer
of the U.S.;

U.S. FEDERAL EMERGENCY MANAGEMENT
AGENCY;

CAMERON HAMILTON, in his official capacity as
Senior Official Performing the Duties of the
Administrator, U.S. Department of Homeland Security,
Federal Emergency Management Agency;

U.S. DEPARTMENT OF HOMELAND SECURITY;

KRISTI NOEM, in her official capacity as Secretary of the
U.S. Department of Homeland Security;

U.S. DEPARTMENT OR AGENCY OF UNKNOWN
IDENTITY;

JOHN OR JANE DOE, in his or her official capacity as
head of U.S. Department or Agency of Unknown Identity;

Defendants.

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[Proposed]

ORDER TO SHOW CAUSE
FOR PRELIMINARY
INJUNCTION AND
TEMPORARY RESTRAINING
ORDER

Upon the Declaration of Joshua Rubin dated February 21, 2025 and exhibits thereto; the Declaration of Jacques Jiha dated February 21, 2025 and exhibits thereto; the accompanying memorandum of law; and the copy of the complaint hereto annexed, it is

ORDERED that the above named defendants show cause before a motion term of this Court, at Room ____, United States Courthouse, 500 Pearl Street, in the City, County and State of New York, on February ____, 2025, at ____ o'clock, or as soon thereafter as counsel may be heard, why an order should not be issued pursuant to Rule 65 of the Federal Rules of Civil Procedure:

- (a) ordering the defendants to return to the City's bank account the amount of \$80,481,861.42 in Federal Emergency Management Agency ("FEMA") Shelter and Services Program ("SSP") Fiscal Year 2024 ("FY24") grant money that defendants removed on February 11, 2025, if not already ordered by and returned in compliance with a temporary restraining order; and
- (b) enjoining the defendants and their officers, employees, and agents from taking any grant money from any City bank account in connection with SSP FY24 and SSP Fiscal Year 2023 ("FY23") FEMA grants; and it is further

ORDERED that, sufficient reason having been shown therefor, pending the hearing of plaintiff's application for a preliminary injunction, pursuant to Rule 65, Fed. R. Civ. P., defendants are:

- (a) ordered to return to the City's bank account the amount of \$80,481,861.42 in FEMA SSP FY24 grant money that defendants removed on February 11, 2025; and
- (b) temporarily restrained and enjoined from taking any further grant money from any City bank account in connection with SSP FY24 and SSP FY23 FEMA grants; and it is further

ORDERED that service **by email** of a copy of this order and the papers on which it was granted upon **each** defendants' counsel listed below, who have each appeared on behalf of each of the above-captioned Defendants in *New York v. Trump*, No. 1:25-cv-00039 (D.R.I. filed Jan. 28, 2025), on or before _____ o'clock on February _____, 2025, be deemed good and sufficient service thereof:

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DATED: _____

New York, New York

United States District Judge