

United States District Court
for the
Southern District of New York
Related Case Statement

Full Caption of Later Filed Case:

GABOR RONA and LISA DAVIS

Plaintiff	Case Number
vs.	25-3114
<p>DONALD J. TRUMP, in his official capacity as President of the United States; UNITED STATES DEPARTMENT OF STATE; MARCO A. RUBIO, in his official capacity as Secretary of State; UNITED STATES DEPARTMENT OF THE TREASURY; SCOTT K. H. BESSANT, in his official capacity as Secretary of the Treasury; UNITED STATES DEPARTMENT OF JUSTICE; PAMELA J. BONDI, in her official capacity as United States Attorney General; OFFICE OF FOREIGN ASSETS CONTROL; and LISA M. PALLUCONI, in her official capacity as Acting Director of the Office of Foreign Assets Control,</p>	
Defendant	

Full Caption of Earlier Filed Case:

(including in bankruptcy appeals the relevant adversary proceeding)

OPEN SOCIETY JUSTICE INITIATIVE;
DIANE MARIE AMANN; MILENA STERIO;
MARGARET DEGUZMAN; and GABOR
RONA

Plaintiff	Case Number
vs.	No. 1:20-cv-08121-KPF
<p>DONALD J. TRUMP, President of the United States; UNITED STATES DEPARTMENT OF STATE; MICHAEL R. POMPEO, Secretary of State; UNITED STATES DEPARTMENT OF THE TREASURY; STEVEN T. MNUCHIN, Secretary of the Treasury; UNITED STATES DEPARTMENT OF JUSTICE; WILLIAM P. BARR, United States Attorney General; OFFICE OF FOREIGN ASSETS CONTROL; and ANDREA M. GACKI, Director of the Office of Foreign Assets Control,</p>	
Defendant	

Status of Earlier Filed Case:



Closed

(If so, set forth the procedure which resulted in closure, e.g., voluntary dismissal, settlement, court decision. Also, state whether there is an appeal pending.)



Open

(If so, set forth procedural status and summarize any court rulings.)

The Court granted partially Plaintiffs' motion for a preliminary injunction. The case was subsequently voluntarily dismissed without prejudice pursuant to Fed R. Civ. P. 41(a)(1)(A)(ii). There is no appeal pending.

Explain in detail the reasons for your position that the newly filed case is related to the earlier filed case.

This case is related to Case 1:20-cv-08121-KPF ("Related Case") because of their common parties, claims, and requests for relief.

In the Related Case, Plaintiff Gabor Rona, who is also a plaintiff in this case, and others, sued President Donald J. Trump, the Department of State, the Department of the Treasury, the Department of Justice, and the Office of Foreign Assets Control, as well as the individuals holding the offices of Secretary of State, Secretary of the Treasury, Attorney General, and Director of the Office of Foreign Assets Control, each of whom was sued in their official capacity. The same defendants are sued in this case, with the exception that the current officeholders of those positions are sued, again in their official capacity.

In the Related Case, Plaintiff Rona challenged the lawfulness of Executive Order 13,928, issued during the first Trump administration, which imposed sanctions on the International Criminal Court ("ICC"). Among other things, the Executive Order prohibited, in Section 3, providing services to or for the benefit of designated persons, which included the Prosecutor of the ICC, who was designated thereunder. Plaintiff Rona asserted claims that the Executive Order, among other things, violated the First Amendment and was ultra vires under the applicable statute, the International Emergency Economic Powers Act. Judge Katherine Polk Failla partially granted a motion for a preliminary injunction, enjoining the defendants from enforcing the Executive Order against the plaintiffs.

Executive Order 13,298 was revoked by President Biden and the Related Case was voluntarily dismissed without prejudice. Executive Order 13,298 was then effectively reinstated by President Trump through the issuance of Executive Order 14,203 earlier this year. In pertinent part, Executive Order 14,203 designates the Prosecutor of the ICC for sanctions and contains in Section 3 substantively identical language as was contained in Executive Order 13,298. In the present case, Plaintiff Rona (and Plaintiff Lisa Davis) challenge the lawfulness of this Executive Order on the same First Amendment and ultra vires grounds as was done in the Related Case. The same relief is also requested as was sought in the Related Case.

Signature: /s/ Nicholas M. Renzler Date: 4/15/2025
Foley Hoag LLP

Firm: _____