

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

**CATHOLIC CHARITIES,
DIOCESE OF FORT WORTH, INC.,
249 Thornhill Dr.,
Fort Worth, Texas 76115**

Plaintiff,

v.

**U.S. DEPARTMENT OF HEALTH AND
HUMAN SERVICES (DHHS),
200 Independence Avenue, S.W.
Washington, D.C. 20201,**

and

**ROBERT F. KENNEDY, JR.,
SECRETARY OF DHHS, IN HIS
OFFICIAL CAPACITY ONLY,
200 Independence Avenue, S.W.
Washington, D.C. 20201**

Defendants.

Civil No. 1:25-cv-00605

PLAINTIFF’S MOTION FOR A TEMPORARY RESTRAINING ORDER

Plaintiff Catholic Charities, Diocese of Fort Worth, Inc., (“CCFW”), hereby requests, under Federal Rule of Civil Procedure 65(b) and Local Civil Rule 65.1, that this Court issue a temporary restraining order, to remain in effect until such time as the Court can further consider the merits of Plaintiff’s claims (1) enjoining Defendants from implementing, enforcing, or otherwise giving effect to any rule, order, policy or other agency action suspending, freezing, pausing, or otherwise preventing the obligation or disbursement of appropriated funds to reimburse past and ongoing expenses incurred by Plaintiff in connection with four open and

ongoing grant awards, under which Plaintiff has requested payments; and (2) declaring that Defendants shall take all steps necessary to promptly remit payment for all of Plaintiff's draw down requests under the applicable grant awards requested between January 29, 2025 and the end of February 2025, totaling approximately \$36 million.

Plaintiff requests emergency relief due to the exigency of the circumstances and the irreparable nature of the injury that the temporary restraining order would prevent. Because Plaintiff's funding is frozen, it has been unable to draw down necessary funding for the past four weeks—resulting in real-world harm not only to Plaintiff but also to the more than 100,000 individuals and families to whom Plaintiff and its partner agencies provide essential, Congressionally-mandated services. As set forth in the accompanying Memorandum of Law in Support of Plaintiff's Motion for a Temporary Restraining Order, neither Plaintiff, nor its large network of contractors and sub-recipients, have the ability to cover the cash flow necessary to continue operating its vital supportive programs and services without receiving Congressionally-appropriated funding.

Pursuant to Local Rule 65.1(a), at 1:22 p.m. on March 3, 2025, counsel for Plaintiff sent an e-mail to counsel for the U.S. Department of Justice in the related case of *National Council of Nonprofits v. OMB*, Civil Action, No. 25-239 (Daniel S. Schwei, Andrew S. Freidah, and Eitan R. Sirkovich), providing copies of Plaintiff's Complaint and notice of this motion for an emergency temporary restraining order to be filed in the U.S. District Court for the District of Columbia, and providing Plaintiff counsel's contact information; counsel for Plaintiff subsequently followed with filed copies of this motion and accompanying papers at the time of filing.

Dated: March 3, 2025

Respectfully submitted,

/s/ Edward T. Waters

Feldesman Leifer LLP

Edward T. Waters (D.C. Bar No. 422461)

ewaters@feldesman.com

Mindy B. Pava (D.C. Bar No. 995328)

mpava@feldesman.com

Stephen Kuperberg (D.C. Bar No. 462992)

skuperberg@feldesman.com

1129 20th Street NW, 4th Floor

Washington, DC 20036

(t) (202) 466-8960

***Attorneys for Plaintiff Catholic Charities, Diocese
of Fort Worth, Inc.***

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

CATHOLIC CHARITIES,
DIOCESE OF FORT WORTH, INC.,
249 Thornhill Dr.,
Fort Worth, Texas 76115

Plaintiff,

v.

U.S. DEPARTMENT OF HEALTH AND
HUMAN SERVICES (DHHS),
200 Independence Avenue, S.W.
Washington, D.C. 20201,

and

ROBERT F. KENNEDY, JR.,
SECRETARY OF DHHS, IN HIS
OFFICIAL CAPACITY ONLY,
200 Independence Avenue, S.W.
Washington, D.C. 20201

Defendants.

Civil No. 1:25-cv-00605

CERTIFICATE OF SERVICE

I certify that, on the 3rd day of March 2024, I served the foregoing **“Motion for Temporary Restraining Order”** and all accompanying documents in support, as well as all Pleadings filed in the action to date upon counsel for the U.S. Department of Justice in the related matter of *National Council of Nonprofits v. OMB*, Civil Action, No. 25-239. Due to the emergency nature

of the temporary restraining order motion, counsel was served via email at the following e-mail addresses, which serve as their listed e-mail addresses with PACER / ECF:

Daniel S. Schwei, Esq: Daniel.s.schwei@usdoj.gov

Andrew F. Freidah, Esq.: Andrew.f.freidah@usdoj.gov

Eitan R. Sirkovich, Esq.: Eitan.r.sirkovich@usdoj.gov

/s/ Edward T. Waters