

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

NIKKI S. CARTER, et al.,

Plaintiffs,

v.

U.S. DEPARTMENT OF EDUCATION, et al.,

Defendants.

Case No. 1:25-cv-744-PLF

PLAINTIFFS' MOTION FOR PRELIMINARY INJUNCTION

Pursuant to Federal Rule of Civil Procedure 65, Plaintiffs Nikki S. Carter; A.W.; K.D., on behalf of herself and her minor child, M.W.; Melissa Combs, on behalf of herself and her minor child, D.P.; A.M.; Elizabeth Stewart-Williams; A.S.; Amy Cupp, on behalf of herself and her minor child, G.C.; and the Council of Parent Attorneys and Advocates, Inc. (together, “Plaintiffs”), respectfully move for a preliminary injunction requiring Defendants to restore the investigation and processing capacity of the Office for Civil Rights of the United States Department of Education (“OCR”) and to process complaints from the public promptly and equitably in accordance with OCR’s statutory and regulatory obligations.

As discussed in the accompanying Plaintiffs’ Memorandum in Support of Motion for Preliminary Injunction, Plaintiffs have met the standards warranting a preliminary injunction, because they are likely to succeed on the merits of their Administrative Procedure Act and ultra vires claims presented in the motion and memorandum in support, they presently suffer and will continue to suffer irreparable injury absent a preliminary injunction, the balance of equities tips in their favor, and the issuance of the injunction would be in the public’s interest. The grounds

for this motion are set forth in Plaintiffs' accompanying memorandum in support, and a proposed order is attached. Plaintiffs request oral argument, as necessary.

STATEMENT PURSUANT TO LOCAL CIVIL RULE 7(m)

Consistent with Local Rule 7(m), Plaintiffs conferred on their Motion for Preliminary Injunction with counsel for Defendants, Brad Rosenberg, Special Counsel in the U.S. Department of Justice. Mr. Rosenberg advised Plaintiffs that Defendants oppose the motion.

Dated: May 2, 2025

Respectfully submitted,

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*Application for pro hac vice admission pending

**Application for pro hac vice admission
forthcoming

Counsel for Plaintiffs

CERTIFICATE OF SERVICE

I hereby certify that, on this 2nd day of May, 2025, this document was filed with the Clerk of the Court through the CM/ECF system, which will then send a notification of such filing (NEF) to all counsel of record.

Dated: May 2, 2025

Respectfully Submitted,

/s/ David G. Hinojosa

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