

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

CENTER FOR BIOLOGICAL DIVERSITY,

Plaintiff,

v.

OFFICE OF MANAGEMENT AND
BUDGET, *et al.*,

Defendants.

Civil Action No. 25-165 (BAH)

Judge Beryl A. Howell

**ORDER GRANTING DEFENDANTS' CONSENT MOTION
TO PARTIALLY STAY PROCEEDINGS**

For the reasons stated in Defendants' Consent Motion to Partially Stay Proceedings, ECF No. 25, and for good cause shown, it is hereby ORDERED that:

1. All further proceedings in this case against the USDS Defendants¹ are hereby STAYED until a final decision is rendered on whether a USDS is an agency subject to the Freedom of Information Act ("FOIA") in *Citizens for Responsibility & Ethics in Washington* ("CREW") v. USDS, 349 F.R.D. 1 (Apr. 15, 2025) (Cooper, J.), on *Petition for Writ of Mandamus*, No. 25-130 (D.C. Cir.), including all appeals of any such decision; it is further ordered that

2. The parties shall, within seven days of any decision in *CREW*, file a Joint Status Report informing this Court of the decision and whether the stay shall be lifted or whether further appeals or petitions are anticipated; it is further ordered that

¹ The "USDS Defendants" are: (1) U.S. DOGE Service (U.S. Digital Service); (2) U.S. DOGE Service Temporary Organization ("USDSTO"); (3) Elon Musk, "in his official capacity as Agency Head of the U.S. DOGE Service and U.S. DOGE Temporary Organization"; and (4) Amy Gleason, "in her official capacity as Acting Administrator of the U.S. DOGE Service and U.S. DOGE Temporary Organization."

3. The USDS Defendants' pending Partial Motion to Dismiss is hereby WITHDRAWN, without prejudice to USDS Defendants' right to refile their motion to dismiss or make any other appropriate Rule 12 or 56 motion if and when a stay is lifted; and

4. Remaining Defendant Office of Management and Budget ("OMB") will process all records responsive to the FOIA request at issue in this case directed to OMB within 60 calendar days of the date of this Order, except that OMB may have an additional 30 calendar days to process any documents that it is unable to process within 60 calendar days because of the necessity of consulting with other federal agencies.

SO ORDERED.

Date: July 10, 2025

BERYL A. HOWELL
United States District Judge