

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

AMERICAN FEDERATION OF
GOVERNMENT EMPLOYEES,

Plaintiff,

v.

U.S. DEPARTMENT OF EDUCATION and
LINDA MCMAHON, in her official capacity as
Secretary of Education,

Defendants.

Civil Action No. 25-cv-3553

[PROPOSED] ORDER

Upon consideration of Plaintiff's motion for summary judgment, and the entire record in this case, it is hereby:

ORDERED that the motion is **GRANTED**;

DECLARED that the Department of Education and Linda McMahon, in her official capacity as Secretary of Education, violated the First Amendment rights of furloughed agency employees by changing employees' out-of-office email messages to include partisan political language without the employees' knowledge or consent;

ORDERED that the Department of Education and Linda McMahon, in her official capacity as Secretary of Education, take immediate steps to remove all partisan political language that they caused to be added to agency employees' out-of-office email messages;

ORDERED that the Department of Education and Linda McMahon, in her official capacity as Secretary of Education, be **ENJOINED** from modifying agency employees' email out-of-office messages to include partisan political speech or otherwise requiring agency employees to include partisan political speech in email correspondence;

ORDERED that this order shall apply to the maximum extent provided for by Federal Rule of Civil Procedure 65(d)(2); and

ORDERED that the Department of Education and Linda McMahon, in her official capacity as Secretary of Education, shall file a status report within 24 hours of this order apprising the Court of the status of their compliance with this order and providing a copy of any directive that they provided to their employees or agents to ensure continued compliance with this order.

SO ORDERED.

Dated: October ___, 2025

UNITED STATES DISTRICT JUDGE