

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

CENTER FOR TAXPAYER RIGHTS et al.,

Plaintiffs,

v.

INTERNAL REVENUE SERVICE et al.,

Defendants.

Civil Action No. 25-cv-457-CKK

**PLAINTIFFS' MOTION FOR STAY UNDER 5 U.S.C. § 705 OR, IN THE
ALTERNATIVE, FOR PRELIMINARY INJUNCTION**

Plaintiffs respectfully move this Court for relief under 5 U.S.C. §§ 705, 706, and, in the alternative, for a preliminary injunction pursuant to Federal Rule of Civil Procedure 65. For the reasons described in Plaintiffs' accompanying memorandum of law, declarations, exhibits, and Amended Complaint, Plaintiffs request that this Court enter relief under 5 U.S.C. §§ 705, 706, staying and preliminarily setting aside the Defendants' Data Policy, as defined in Plaintiffs' accompanying memorandum in support of this Motion, that permits disclosures of IRS data to ICE under Sec. 6103(i)(2) of the Internal Revenue Code, during the pendency of this action. Plaintiffs also request that the Court order:

- (1) that Defendants, and their officers, agents, servants, employees, attorneys, and all acting in concert with them, shall not effectuate the transfer of any IRS data, to include taxpayer information, return information, and taxpayer identity, including

- address information, (as defined under Sec. 6103(b)(2), (3), (6) of the Internal Revenue Code), pursuant to Sec. 6103(i)(2) of the Internal Revenue Code, in response to requests from the Department of Homeland Security and its component agencies for the disclosure, verification, or confirmation of taxpayer address information, or taxpayer identity information that includes address information, and information regarding the receipt of tax credits or refunds;
- (2) that Defendants shall inform ICE that any disclosures of address information under the Data Policy, by the IRS to ICE and pursuant to Sec. 6103(i)(2), have been deemed unlawful and thus Defendants must destroy, or seek and facilitate the destruction of such data;
- (3) that the IRS shall submit to the Court within three days a sworn declaration attesting that the information disclosed has been destroyed or returned and detailing its actions to otherwise comply with the Court's Order; and
- (4) that Defendants shall not effectuate any similar policy under a different name.

Plaintiffs have met and conferred with counsel for Defendants concerning this Motion. Defendants oppose.

Plaintiffs respectfully request a hearing on this Motion, pursuant to Local Rule 65.1(d).

August 20, 2025

Respectfully submitted,

/s/ Johanna M. Hickman

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