

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

MSW MEDIA, INC. and FIRST
AMENDMENT COALITION,

Plaintiffs,

v.

U.S. DOGE SERVICE and OFFICE OF
MANAGEMENT AND BUDGET,

Defendants.

Case No. 3:25-cv-02881-AMO

**ORDER GRANTING DEFENDANTS'
MOTION TO DISMISS OR TRANSFER
FIRST AMENDED COMPLAINT, OR, IN
THE ALTERNATIVE, GRANTING MOTION
TO STAY**

The Honorable Araceli Martínez-Olguín

1 The Court has received and considered Defendants' Notice of Motion and Motion to Dismiss
2 or Transfer Plaintiffs' First Amended Complaint, or in the Alternative, Motion to Stay; all responses
3 and replies to the Motions, and all other appropriate and related documents. Having considered the
4 parties' arguments and the relevant legal authority, **IT IS HEREBY ORDERED THAT:**

- 5 1. Defendants' Motion to Dismiss or Transfer is **GRANTED**.
- 6 2. Under 5 U.S.C. § 552(a)(4)(B), venue for this action as pleaded is improper in the Northern
7 District of California because venue does not lie in the Northern District as to each claim and
8 each party.
- 9 3. This action is hereby **TRANSFERRED** pursuant to 28 U.S.C § 1404(a) to the District of
10 Columbia, as that district is the proper forum. Because that district is the "all-purpose,"
11 "universal venue for FOIA lawsuits," *In re Scott*, 709 F.2d 717, 720 (D.C. Cir. 1983); *Sierra*
12 *Club v. TVA*, 905 F. Supp. 2d 356, 359 (D.D.C. Nov. 29, 2012) (quoting Dep't of Justice,
13 Guide to the Freedom of Information Act § 3-17.100B (2012)), that district can consider the
14 FOIA claims of all Plaintiffs in this action.
- 15 4. The Court need not consider the merits of Plaintiffs' allegations, and instead **TRANSFERS**
16 the case to the District of Columbia for further proceedings there.

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18 **IT IS SO ORDERED.**

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20 Dated: June 18, 2025

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22 **ARACELI MARTÍNEZ-OLGUÍN**
23 **United States District Judge**
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