

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

ETHICAL SOCIETY OF POLICE; NAACP
ST. LOUIS COUNTY; MISSIONARY
BAPTIST STATE CONVENTION OF
MISSOURI; TWO WRASSLIN' CATS
ACCORD; OUT ACCOUNTABILITY
PROJECT; BERKSHIRE RESOURCES FOR
INTEGRATION OF DIVERSE GROUPS
AND EDUCATION; NAACP STATE
CONFERENCE COLORADO-MONTANA-
WYOMING; PEACEMAKERS LODGE;
PIKES PEAK SOUTHERN CHRISTIAN
LEADERSHIP CONFERENCE 1;
WELLSPRING HEALTH ACCESS; and
HAITIAN COMMUNITY HELP & SUPPORT
CENTER,

Plaintiffs,

v.

PAMELA J. BONDI, in her official capacity
as Attorney General of the United States; and
U.S. DEPARTMENT OF JUSTICE,

Defendants.

Case No. 25-CV-13115 (IT)

PLAINTIFFS' MOTION FOR ORDER SETTING MERITS HEARING

Plaintiffs file this Motion to request that the Court set an evidentiary hearing on the merits of this matter for one full day during the week of December 3, 2025.

At the hearing on Plaintiffs' Motion for Temporary Restraining Order ("TRO") held on October 29, 2025, the Court expressed interest in holding an evidentiary hearing on the substance of Defendants' self-described "dissolution" of the Community Relations Service ("CRS"). The Court directed the parties to confer about a mutually agreeable date for such a hearing, and further asked the parties about their amenability to merge any consideration of a possible preliminary injunction motion with the final merits.

In light of the Court's order denying the TRO, including the finding that Plaintiffs have made a strong showing that they are likely to succeed on the merits of their challenge to the shuttering of CRS, Plaintiffs believe it is in the interests of efficiency and justice to proceed, on an expeditious basis, directly to a hearing on the merits.

The request for a hearing date the week of December 3 is based on Plaintiffs' understanding that the Court has a three-week trial scheduled to begin on Monday, November 10, making the week of December 3 the earliest feasible week for a trial in this matter. Should a trial date become available the week of November 17 (for example, because the Court's other trial settles or concludes early), Plaintiffs would be interested in availing themselves of an earlier hearing date, if schedules permit.

Counsel for Plaintiffs has conferred with counsel for Defendants, who opposed setting a merits hearing (and favored motions practice instead), but they did not object to the week of December 3 from a scheduling perspective.¹ Defendants represent that they intent to file an opposition to this Motion no later than Monday, November 3.

Defendants submit that, in light of the Court's expressed interest in holding an evidentiary hearing, one should be set as early as feasible, and would not prejudice parallel motions practice.

Dated: October 31, 2025

Respectfully Submitted,

/s/ Kyle R. Freeny

Kyle R. Freeny*

(DC Bar No. 1684764)

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¹ Undersigned counsel began conferring with Defendants' counsel the morning of October 30, 2025, including about the prospect that the government might agree to voluntarily hold the Reductions in Force ("RIF") of CRS employees in abeyance to allow a more relaxed schedule for briefing and resolution of this case. Defendants took that request under advisement but ultimately rejected it.

1717 K Street NW
Washington, DC 20006
Telephone: (202) 521-8750
KFreeny@WashingtonLitigationGroup.org

Ana Muñoz
(Mass. Bar No. 569233)
ZALKIND DUNCAN & BERNSTEIN LLP
2 Oliver Street, Suite 200
Boston, MA 02110
Telephone: (617) 742-6020
AMunoz@ZalkindLaw.com

Counsel for Plaintiffs

** Admitted Pro Hac Vice*

October 31, 2025

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the above document was served upon all attorneys of record by electronic filing on the above date.

/s/ Kyle R. Freeny
Kyle R. Freeny

CERTIFICATE OF COMPLIANCE WITH LOCAL RULES 7.1 AND 37.1

I, Kyle R. Freeny, certify that on October 31, 2025, I spoke by Zoom with Abby Stout, counsel of record for Defendants, who indicated Defendants oppose setting a hearing on the merits of Plaintiffs' claims but who did not object to the week of December 3 from a scheduling perspective. Counsel for Defendants confirmed by email their intent to file an opposition to this Motion no later than Monday, November 3, 2025.

/s/ Kyle R. Freeny
Kyle R. Freeny