

**UNITED STATES DISTRICT COURT
DISTRICT OF CONNECTICUT**

NATIONAL COUNCIL OF PRISON	:	
LOCALS et al.,	:	No.: 3:25cv1907 (VDO)
	:	
Plaintiffs,	:	
	:	
v.	:	
	:	
FEDERAL BUREAU OF PRISONS et al.,	:	
Defendants.	:	February 13, 2026

**DEFENDANTS’ MOTION TO DISMISS OR, IN THE ALTERNATIVE,
TO STAY, AND OPPOSITION TO MOTION FOR PRELIMINARY INJUNCTION**

Pursuant to Federal Rule of Civil Procedure 12(b)(1) and 12(b)(6), the defendants, the Federal Bureau of Prisons (“BOP”) and William K. Marshall III, in his official capacity as Director of the BOP, respectfully move the Court to dismiss the complaint. If the Court finds it has subject matter jurisdiction, the case should be transferred to the District Court for the District of Columbia (D.D.C.), as argued in a motion filed under separate cover. Even if the Court finds jurisdiction and venue to be appropriate in this Court, it should stay the matter pending decision of the Ninth Circuit in *Am. Fed’n of Gov’t Emps., AFL-CIO v. Trump*, 148 F.4th 648, 656 (9th Cir. 2025) (“AFGE II”). Finally, Plaintiff’s motion for a preliminary injunction should be denied, but if the Court is inclined to grant any injunctive relief, Defendants request that any injunctive relief be secured by a bond.

In support of this motion, the defendants attach a memorandum of law, which memorandum also serves as the defendants’ opposition to the plaintiffs’ motion for preliminary injunction.

Respectfully submitted,

DAVID X. SULLIVAN
UNITED STATES ATTORNEY

/s/

J. Brian Meskill (ct29611)
Assistant United States Attorney
450 Main Street, Rm. 328
Hartford, CT 06103
T: (203) 821-3700
F: (203) 773-5373
Brian.Meskill@usdoj.gov