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UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

AMERICAN FEDERATION OF
GOVERNMENT EMPLOYEES, AFL-CIO,
et al.,

Plaintiffs,

v.

UNITED STATES DEPARTMENT OF
AGRICULTURE; BROOKE ROLLINS, in her
official capacity as Secretary of Agriculture,

Defendants.

Case No. 3:26-09976

**PLAINTIFFS' MOTION FOR
PRELIMINARY INJUNCTION AND
STAY UNDER 5 U.S.C. §705**

Date: October 13, 2026 (or as set by the Court)

MOTION FOR PRELIMINARY INJUNCTION

TO ALL DEFENDANTS: PLEASE TAKE NOTICE that on October 13, 2026 (or on such earlier date as is set by the assigned Court), at a time and location to be determined in the United States District Court, Northern District of California, Plaintiffs American Federation of Government Employees; American Federation of State County and Municipal Employees; National Federation of Federal Employees; National Treasury Employees Union; County of Santa Clara, California; the City and County of San Francisco, California; City of Baltimore, Maryland; Prince George’s County, Maryland; Martin Luther King, Jr. County, Washington; the Alliance of Crop, Soil and Environmental Science Societies; American Geophysical Union; Natural Resources Defense Council; The Coalition to Protect America’s National Parks; and Western Watersheds Project will move the Court pursuant to Rule 65 of the Federal Rules of Civil Procedure and this Court’s authority to “issue all necessary and appropriate process to postpone the effective date of an agency action or to preserve status or rights,” 5 U.S.C. §705, for a stay and preliminary injunction that:

1. Orders that Defendants USDA and Rollins and their officers, agents, servants, employees, and attorneys, and all persons acting by, through, under, or in concert with these Defendants, are enjoined and stayed from taking action to implement, carry out, or effectuate the USDA Reorganization Plan by (1) closing or eliminating offices, programs, or facilities, or (2) relocating or reassigning employees or their positions or functions to different and/or new locations, including by issuing or enforcing “management directed reassignment” (“MDR”) letters or any other notice or directive of reassignment or relocation in whole or in part, including any deadlines in those letters, (3) at each of the following USDA components: the Food and Nutrition Administration, Research, Education, and Economics mission area, Forest Service, Foreign Agricultural Service, Rural Development mission area, Farm Production and Conservation mission area, Office of the General Counsel, and Office of the Assistant Secretary for Civil Rights.

2. Provides that, notwithstanding the foregoing, the order does not enjoin relocating or

1 reassigning USDA employees currently located within the National Capital Region¹ to other local
 2 offices or locations also located within the National Capital Region, or closing offices, programs,
 3 or facilities in the National Capital Region from which all employees have been relocated or
 4 reassigned to other local offices or locations within the National Capital Region.

5 3. Further orders that, within two (2) business days, Defendants shall provide notice of the
 6 Court's Order to all USDA employees working at USDA components included in the stay and
 7 injunction, and any labor organization representing any of those affected USDA employees,
 8 including by email notification that includes this Order, and by posting this Order on the USDA
 9 Reorganization website (<https://www.usda.gov/about-usda/reorganization>) and any website of any
 10 affected component agency dedicated to the USDA Reorganization Plan.

11 The Motion is made on the grounds that (1) Plaintiffs are likely to prevail on their claims
 12 that Defendants' implementation of the USDA Reorganization Plan to close offices and force many
 13 employees to relocate are *ultra vires* and violate the Administrative Procedure Act, 5 U.S.C.
 14 §706(2)(A) and (C); (2) that Plaintiffs will suffer irreparable injury unless the relief requested is
 15 granted; and (3) that the balance of equities and public interest favor injunctive relief.

16 This Motion is supported by the accompanying Plaintiffs' Memorandum in Support of
 17 Motion for Preliminary Injunction and Stay Under 5 U.S.C. §705 and the Declarations filed in
 18 support of Plaintiffs' Motion, which are listed in the accompanying Index of Plaintiffs' Evidence.
 19 Plaintiffs are also filing an accompanying Administrative Motion to Shorten Time To Hear
 20 Plaintiffs' Motion for Preliminary Injunction.

21 DATED: September 8, 2026

Respectfully submitted,

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28 ¹ See 40 U.S.C. §71(b).

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