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**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA**

GAVIN NEWSOM, in his official capacity
as Governor of the State of California, et
al.,

Plaintiffs,

v.

DONALD J. TRUMP, in his official
capacity as President of the United States
of America, et al.,

Defendants.

No. 3:25-cv-04870-CRB

**DEFENDANTS' NOTICE
REGARDING PLAINTIFFS' EX
PARTE MOTION FOR A
TEMPORARY RESTRAINING
ORDER**

Defendants President Donald J. Trump, Secretary of Defense Pete Hegseth, and the U.S. Department of Defense file this notice of their opposition to Plaintiffs' request for an *ex parte* temporary restraining order. Plaintiffs' motion is legally meritless. It seeks an extraordinary, unprecedented, and dangerous court order. If entered, Plaintiffs' proposed order would jeopardize the safety of Department of Homeland Security personnel and interfere with the Federal Government's ability to carry out operations. Plaintiffs' request that this Court supervise the President and Secretary of Defense's management of military forces is itself highly unusual and indeed non-justiciable under constitutional principles. The Court should reject Plaintiffs' suggestion that this Court enter an order—on a one-sided record and without hearing from Defendants—on a subject of grave importance that implicates the separation of powers. As Plaintiffs noted in their motion, Defendants request the Court enter an order making Defendants' opposition to Plaintiffs' motion due tomorrow at 11 a.m. Pacific time. Defendants request 24 hours to finalize declarations necessary to expose certain of Plaintiffs' allegations as false and demonstrate the irreparable harm to the Defendants if the Court were to enter the proposed order.

Dated: June 10, 2025

Respectfully submitted,

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