

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

NAVY SEAL # 1, et al.,

Plaintiffs,

v.

JOSEPH R. BIDEN, JR., in his official
capacity as President of the United States, et al.,

Defendants.

Case No. 8:21-cv-02429-SDM-TGW

DEFENDANTS' NOTICE OF INTENT TO RESPOND

Defendants hereby notify the Court that they intend to respond to the recently filed declarations in support of Plaintiffs' motion for class-wide preliminary injunctive relief. On February 22, 2022, Plaintiffs filed a second declaration from Plaintiffs' counsel, which is effectively a supplemental brief, as well as declarations from four Plaintiffs. Moreover, Plaintiffs' counsel waited until February 23, 2022, to provide defense counsel with the names of Plaintiffs, even though defense counsel made several requests for the names in order to be able to investigate the allegations in Plaintiffs' complaint and declarations, which Defendants have thus far been unable to do for all but two Plaintiffs.

Now that Defendants have the names of the Plaintiffs, Defendants are investigating the allegations in Plaintiffs' notice and supplemental declarations and intend to respond as quickly as possible. Defendants request 10 days in which to respond, by March 4.

Dated: February 23, 2022

BRIAN M. BOYNTON
Principal Deputy Assistant Attorney
General

ALEXANDER K. HAAS
Director, Federal Programs Branch

ANTHONY J. COPPOLINO
Deputy Director

Respectfully submitted,

/s/ Courtney D. Enlow
ANDREW E. CARMICHAEL
AMY E. POWELL
Senior Trial Counsel
ZACHARY A. AVALLONE
COURTNEY D. ENLOW
R. CHARLIE MERRITT
Trial Attorneys
United States Department of Justice
Civil Division, Federal Programs Branch
1100 L Street, N.W.
Washington, DC 20005
Tel: (202) 616-8467
Email: courtney.d.enlow@usdoj.gov
Counsel for Defendants