

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

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

Plaintiffs,

v.

DONALD J. TRUMP, et al.,

Defendants.

Case No. [25-cv-03698-SI](#)

**ORDER RE: EXPEDITED DISCOVERY
ON MOTION FOR PRELIMINARY
INJUNCTION**

On March 3, 2026, the Court heard argument on plaintiffs’ motion for a preliminary injunction regarding non-renewals of “CORE” staff at the Federal Emergency Management Agency (“FEMA”). At the hearing, the Court expressed concern regarding the factual sufficiency of the current record. Also at the hearing, defense counsel presented a version of the facts markedly different from what is contained in the sworn declaration by Karen S. Evans, Senior Official Performing the Duties of Administrator for FEMA (“SOPDA”). *See* Dkt. No. 312-1 (“Evans Decl.”). In particular, defense counsel represented that since January 1, 2026, the Department of Homeland Security (“DHS”) adopted 100% of the renewal recommendations for CORE staff made by SOPDA Evans and that any non-renewals of CORE employment were made at the FEMA level, rather than at the DHS level.¹ By contrast, Evans declared under penalty of perjury that, of the 303 CORE employees whose terms of employment were set to expire in January 2026, “DHS decided not to reappoint 192 of them.” Evans Decl. ¶ 25 (emphasis added). This factual dispute goes to the core question in this case: whether DHS ordered or directed that FEMA make staffing cuts (and cut

¹ “CORE” stands for the “Cadre of On-Call Response/Recovery Employees.”

staffing to a certain level).

In light of this significant factual dispute and the changing position of defendants, and as discussed at the hearing, the Court orders the following expedited discovery:

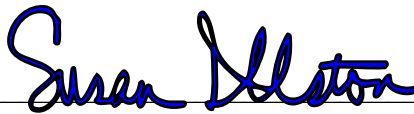
1. Defendants shall produce documents related to the renewals/nonrenewals of CORE employees.
2. Defendants shall produce communications from DHS and FEMA, including email communications, regarding the renewals/nonrenewals of CORE employees as well as “target” reductions of FEMA and CORE employee staffing.
3. Plaintiffs shall be permitted to depose DHS Secretary Kristi Noem, SOPDA Karen Evans, and the Chief Human Capital Officers of both DHS and FEMA.
4. **By March 5, 2026**, defendants shall identify to plaintiffs’ counsel—in a declaration signed under penalty of perjury—the individual(s) involved in the decisions regarding the renewal of the CORE employees whom defense counsel referenced at the hearing.

The parties shall meet and confer on the scope of the above no later than March 5, 2026. Should there be any disputes regarding the scope of document production or depositions, or the timing of the discovery, they may file a joint statement outlining the disputes with the Court no later than March 6, 2026, at 1:00 p.m. PT.

As discussed at the hearing, defendants shall file the email attachment to the December 23, 2025 email. *See* Evans Decl., Ex. 5. Defendants shall file this attachment no later than **March 5, 2026**.

IT IS SO ORDERED.

Dated: March 3, 2026



SUSAN ILLSTON
United States District Judge