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8
9 **UNITED STATES DISTRICT COURT**
10 **NORTHERN DISTRICT OF CALIFORNIA**
11 **SAN FRANCISCO DIVISION**

12
13 AMERICAN FEDERATION OF STATE,
14 COUNTY, AND MUNICIPAL
EMPLOYEES, AFL-CIO, et al.,

15 *Plaintiffs,*

16 v.

17 U.S. DEPARTMENT OF HEALTH AND
18 HUMAN SERVICES, et al.,

19 *Defendants.*
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Case No. 3:26-cv-00759-TLT

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

MOTION FOR PRELIMINARY INJUNCTION

TO ALL DEFENDANTS: PLEASE TAKE NOTICE that Plaintiffs¹ hereby move the Court pursuant to Rule 65 of the Federal Rules of Civil Procedure, Rule 65-1 of the Civil Local Rules, 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, and for a stay and preliminary injunction as follows. Specifically, Plaintiffs ask the Court to order the following immediate and interim relief:

1. Stay the effective date of the “Targeted States Funding Freeze” announced by the Department of Health and Human Services on January 6, 2026, which withheld and halted federal funding from the Child Care and Development Fund (“CCDF”), Temporary Assistance to Needy Families (“TANF”), and Social Services Block Grants (“SSBG”) programs to California, Colorado, Illinois, Minnesota and New York; and

2. Enjoin and/or stay Defendants;² their officers, agents, employees; and all other persons who are in active concert or participation with Defendants or Defendants’ officers, agents, or employees, from implementing the Targeted States Funding Freeze, including

a. the entirety of the letters sent to California, Colorado, Illinois, Minnesota and New York on January 5 and 6, 2026, and any demands for data or information or other compliance requests therein; and

¹ Plaintiffs are: American Federation of State County and Municipal Employees, AFL-CIO (“AFSCME”); Service Employees International Union, AFL-CIO (“SEIU”); Main Street Alliance (“MSA”), United Domestic Workers of America, AFSCME Local 3930; AFSCME COUNCIL 31; and AFSCME COUNCIL 57.

² Defendants are U.S. Department of Health and Human Services (“HHS”); Robert F. Kennedy, Jr., in his official capacity as Secretary of HHS; Administration for Children and Families (“ACF”); and Alex J. Adams, in his official capacity as Assistant Secretary of ACF.

1 Date: January 28, 2026

Respectfully submitted,

2 /s/ Lorrie E. Bradley

/s/ Yenisey Rodriguez

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8 /s/ Teague Paterson

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Counsel for Plaintiff SEIU

18 *Admitted *pro hac vice*

19 **Motion to appear *pro hac vice* pending

CERTIFICATE OF SERVICE

Pursuant to Civil Local Rule 5-5, I hereby certify that on January 28, 2026, I caused the foregoing to be electronically filed with the Clerk of the Court using the CM/ECF system, and served by certified mail to the following:

/s/ Yenisey Rodríguez
Yenisey Rodríguez

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