

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
ALEXANDRIA DIVISION

**Andrew Floyd, et al.,**

Plaintiffs,

v.

**Department of Justice, et al.,**

Defendants.

Case No. **26-cv-1399-LMB**

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**PLAINTIFFS' EXPEDITED MOTION FOR LIMITED EXPEDITED DISCOVERY**

Since Plaintiffs moved for preliminary relief in this case, Defendants have made a variety of factual representations—some conflicting, none in sworn testimony, none tested by factfinding—that directly bear on this Court’s resolution of Plaintiffs’ pending motion. Defendants now claim that intervening events have made this matter moot and deprived this Court of jurisdiction. *See* ECF No. 62 at 10-11. But Defendants ask this Court to preliminarily conclude that it has no jurisdiction based on merely the government’s own say-so; say-so that has been regularly contradicted by President Trump himself. As detailed in the attachments to this motion, *see* Ex. A, Decl. of Pooja Boisture, and in Plaintiffs’ supporting memorandum, Plaintiffs have repeatedly requested that Defendants substantiate their position that this matter has been rendered moot. After declining to respond for Plaintiffs’ requests for a week, Defendants sent Plaintiffs a letter that provides even *fewer* assurances about the status of the Fund than what Defendants represented in their opposition brief, and Defendants confirmed during a meet and confer that they will not support their position with any competent evidence. *Id.* To ensure that this Court has before it a complete and accurate record, supported by competent evidence, about the status of the

Fund as it considers Plaintiffs' pending motion for preliminary relief, Plaintiffs respectfully move this court to grant limited expedited discovery to establish the status and future plans for the Fund. If, as Plaintiffs have repeatedly requested, Defendants come forward with competent evidence that the Fund has been conclusively abandoned, Plaintiffs would be willing to withdraw this motion.

\* \* \*

For the reasons set forth in Plaintiffs' memorandum in support of their motion for preliminary relief, ECF No. 25, as well as Plaintiffs' forthcoming reply in support of that motion, Plaintiffs believe preliminary relief in this matter is clearly warranted, and no evidence Defendants have proffered to date is competent or persuasive to change that fact.

However, as evident in the attached correspondence, Plaintiffs have repeatedly sought further detail or clarification from Defendants to support their assertions about the current state and future plans for the Anti-Weaponization Fund, particularly given the contradictory statements repeatedly made by President Trump. *See* Boisture Decl., Atts. A-D, F. For a week, Defendants did not even acknowledge Plaintiffs' correspondence, let alone respond to it. *Id.*, Att. A. When they finally did respond on June 8, Defendants provided even *fewer* assurances as to the status of the Fund than Defendants previously offered in their opposition brief or than Acting Attorney General Blanche did in his unsworn testimony; Associate Attorney General Woodward now claims that various steps have not yet been taken to establish the Fund, but makes *no* commitments that these steps will not be taken in the future. *See* Boisture Decl., Att. E.

Given that Defendants have attempted to introduce new factual assertions to raise questions about the current state and future plans for the Anti-Weaponization Fund, impacting this Court's jurisdiction or the need for preliminary relief, Plaintiffs believe the most appropriate course of action would be to require further factual development, and to maintain the status quo to allow for

such development. Plaintiffs requested in their letter of June 6, 2026 that Defendants produce competent evidence (including, where appropriate, sworn statements) that clearly demonstrates that Defendants will not establish or operate the Fund, that the May 18, 2026 Order issued by the Acting Attorney General has been rescinded, and that the provisions of the Agreement in *Trump v. IRS* binding the government to establish the Fund are no longer binding on the government. Boisture Decl., Att. D. Should Defendants produce such evidence, Plaintiffs would be willing to withdraw this motion.

However, because to date Defendants remain unable or unwilling to show by competent evidence that the Fund has been conclusively abandoned, Plaintiffs move this Court, pursuant to Fed. R. Civ. P. 26(d)(1) to grant limited, expedited discovery to propound the proposed discovery requests attached to this motion, Ex. B, for the reasons set forth in Plaintiffs' accompanying memorandum. Plaintiffs have met and conferred with Defendants prior to filing this motion, including seeking materials that could forestall the need for additional discovery. *See* Boisture Decl., Atts. A, D, F. Defendants have declined invitations to produce any competent evidence to support their assertions about the state of the Fund. *Id.* Defendants conveyed their position that they object to this motion, and plan to file a brief explaining their opposition.

In conjunction with this motion for discovery, Plaintiffs are filing a motion to amend the scheduling order in this case to allow for any discovery, seeking to maintain the status quo for at least two weeks to allow Plaintiffs to conduct limited discovery to examine the status and future plans for the Fund. If this Court grants Plaintiffs' discovery request, Plaintiffs would propose the following schedule:

- **Thursday, June 18:** Defendants submit their written discovery responses;

- **Wednesday, June 24:** Plaintiffs and Defendants both file any supplemental briefs discussing the relevance of Defendants' discovery responses to Plaintiffs' pending motion for preliminary relief;
- **Friday, June 26** (or an alternate date of the Court's convenience): This Court holds a rescheduled hearing on Plaintiffs' motion for preliminary relief.

Plaintiffs would also reserve the right to seek leave from the Court to conduct an additional deposition, or to take live witness testimony during the June 26 hearing, if Defendants' written discovery responses are deficient.

Plaintiffs waive a hearing on this motion.<sup>1</sup>

Dated: June 9, 2026

Respectfully submitted,

*/s/ Joel McElvain*

Joel McElvain (Va. Bar No. 95215)

Pooja A. Boisture\*

Jyoti Jasrasaria\*

Aman George\*

Ayesha Khan\*

Robin F. Thurston\*

Skye L. Perryman\*

Democracy Forward Foundation

P.O. Box 34553

Washington, DC 20043

(202) 448-9090

[jmcelvain@democracyforward.org](mailto:jmcelvain@democracyforward.org)

[pboisture@democracyforward.org](mailto:pboisture@democracyforward.org)

[jjasrasaria@democracyforward.org](mailto:jjasrasaria@democracyforward.org)

[ageorge@democracyforward.org](mailto:ageorge@democracyforward.org)

[akhan@democracyforward.org](mailto:akhan@democracyforward.org)

[rthurston@democracyforward.org](mailto:rthurston@democracyforward.org)

[sperryman@democracyforward.org](mailto:sperryman@democracyforward.org)

*Counsel for Plaintiffs*

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<sup>1</sup> Defendants' counsel conveyed during the parties' meet and confer that they do not agree that hearing should be waived on this motion.

\*admitted *pro hac vice*

# Exhibit A

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
ALEXANDRIA DIVISION

**Andrew Floyd, et al.,**

Plaintiffs,

v.

**Department of Justice, et al.,**

Defendants.

**Case No. 26-cv-1399-LMB**

**DECLARATION OF POOJA A. BOISTURE**

I, Pooja A. Boisture, declare as follows:

1. I am an attorney at Democracy Forward Foundation, counsel for Plaintiffs in the above-captioned action. I submit this declaration in support of Plaintiffs' motion for limited expedited discovery.

2. Attachment A contains a true and correct record of email correspondence between Plaintiffs' and Defendants' counsel in this matter between May 26, 2026 and this filing.<sup>1</sup>

3. Attachment B is a true and correct copy of a June 1, 2026 letter that Plaintiffs' counsel sent to Defendants' counsel.

4. Attachment C is a true and correct copy of a June 2, 2026 letter that Plaintiffs' counsel sent to Defendants' counsel.

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<sup>1</sup> Only the email correspondence from May 29, 2026 through June 9, 2026 is relevant to this motion for expedited discovery, but the entire email chain is included for completeness.

5. Attachment D is a true and correct copy of a June 6, 2026 letter that Plaintiffs' counsel sent to Defendants' counsel.

6. Attachment E is a true and correct copy of a June 8, 2026 letter that Defendants' counsel sent to Plaintiffs' counsel.

7. Attachment F is a true and correct copy of a June 8, 2026 letter that Plaintiffs' counsel sent to Defendants' counsel.

Executed on June 9, 2026.

A handwritten signature in black ink, appearing to read 'P. Boisture', written over a horizontal line.

Pooja A. Boisture

# Attachment A



Pooja Boisture <pboisture@democracyforward.org>

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**Re: [EXTERNAL] Floyd v DOJ, No. 26-1399 (E.D. Va.) - Anti-Weaponization Fund**

1 message

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**Pooja Boisture** <pboisture@democracyforward.org>

Tue, Jun 9, 2026 at 1:54 PM

To: "Block, Andrew (OASG)" <Andrew.Block@usdoj.gov>

Cc: "Adams, John (OASG)" <John.Adams5@usdoj.gov>, "Fielden, Micah (OASG)" <Micah.Fielden@usdoj.gov>, Joel McElvain <jmcelvain@democracyforward.org>, Jyoti Jasrasaria <jjasrasaria@democracyforward.org>, Aman George <ageorge@democracyforward.org>, Robin Thurston <rthurston@democracyforward.org>, Ayesha Khan <akhan@democracyforward.org>

Thank you, Andrew. Will do.

On Tue, Jun 9, 2026 at 1:50 PM Block, Andrew (OASG) <Andrew.Block@usdoj.gov> wrote:

Thank you for the email.

Yes, that is an accurate representation of our call.

I'll just add that we also agreed that you would note the Defendants' objections to your motion in your paper and that we will file a brief in response to your motions explaining our position.

Best Regards,

Andrew J. Block

Senior Counsel

Office of the Associate Attorney General

[Andrew.Block@usdoj.gov](mailto:Andrew.Block@usdoj.gov)

(c) (202) 372-7565

---

**From:** Pooja Boisture <pboisture@democracyforward.org>

**Sent:** Tuesday, June 9, 2026 10:54 AM

**To:** Block, Andrew (OASG) <Andrew.Block@usdoj.gov>

**Cc:** Adams, John (OASG) <John.Adams5@usdoj.gov>; Fielden, Micah (OASG) <Micah.Fielden@usdoj.gov>; Joel McElvain <jmcelvain@democracyforward.org>; Jyoti Jasrasaria <jjasrasaria@democracyforward.org>; Aman George <ageorge@democracyforward.org>; Robin Thurston <rthurston@democracyforward.org>; Ayesha Khan <akhan@democracyforward.org>

**Subject:** Re: [EXTERNAL] Floyd v DOJ, No. 26-1399 (E.D. Va.) - Anti-Weaponization Fund

Andrew,

Thank you for taking the time to confer with us this morning regarding our previous correspondence and forthcoming motions. This email memorializes our discussion.

First, with respect to Plaintiffs' request for written assurances and competent evidence that the Fund will not be going forward, you stated that Defendants would not provide anything beyond what was stated in the June 8 letter from Associate Attorney General and the statements made and referenced in your June 5 opposition filing, ECF No. 62.

Second, with respect to Plaintiffs' forthcoming expedited motion for discovery, you stated that Defendants oppose the motion and would not agree to an accelerated schedule beyond the ordinary schedule set forth in the local rules. Defendants do not agree to waive a hearing on this motion.

Third, with respect to Plaintiffs' forthcoming expedited motion to amend the schedule, you stated that Defendants oppose the motion and do not see any basis to continue the hearing or extend the Court's ongoing injunction. You also noted that you personally have conflicts on upcoming Fridays this month. Defendants do not agree to waive a hearing on this motion, either.

Please let us know if you have any additions. We plan to proceed with our filing this afternoon assuming this serves as a complete and accurate record of our conferral.

Thank you,  
Pooja

On Mon, Jun 8, 2026 at 5:02 PM Pooja Boisture <[pboisture@democracyforward.org](mailto:pboisture@democracyforward.org)> wrote:

Andrew,

Please find attached a letter responding to your email from earlier this afternoon. The letter outlines the topics we hope to discuss and the assurances we are requesting by tomorrow's meet and confer. We are available tomorrow at 10 am and will send a calendar invite for that time.

Thank you,  
Pooja

On Mon, Jun 8, 2026 at 2:27 PM Block, Andrew (OASG) <[Andrew.Block@usdoj.gov](mailto:Andrew.Block@usdoj.gov)> wrote:

Pooja,

Please see the attached correspondence.

We are available for a meet and confer on your motion tomorrow any time between 10am and noon.

Best Regards,

Andrew J. Block

Senior Counsel

Office of the Associate Attorney General

[Andrew.Block@usdoj.gov](mailto:Andrew.Block@usdoj.gov)

(c) (202) 372-7565

**From:** Pooja Boisture <[pboisture@democracyforward.org](mailto:pboisture@democracyforward.org)>  
**Sent:** Monday, June 8, 2026 9:51 AM  
**To:** Block, Andrew (OASG) <[Andrew.Block@usdoj.gov](mailto:Andrew.Block@usdoj.gov)>  
**Cc:** Adams, John (OASG) <[John.Adams5@usdoj.gov](mailto:John.Adams5@usdoj.gov)>; Fielden, Micah (OASG) <[Micah.Fielden@usdoj.gov](mailto:Micah.Fielden@usdoj.gov)>; Joel McElvain <[jmcelvain@democracyforward.org](mailto:jmcelvain@democracyforward.org)>; Jyoti Jasrasaria <[jjasrasaria@democracyforward.org](mailto:jjasrasaria@democracyforward.org)>; Aman George <[ageorge@democracyforward.org](mailto:ageorge@democracyforward.org)>; Robin Thurston <[rthurston@democracyforward.org](mailto:rthurston@democracyforward.org)>; Ayesha Khan <[akhan@democracyforward.org](mailto:akhan@democracyforward.org)>  
**Subject:** Re: [EXTERNAL] Floyd v DOJ, No. 26-1399 (E.D. Va.) - Anti-Weaponization Fund

Andrew, John, Micah. We're writing to re-up the attached letter, originally emailed on Saturday. Could you please confirm receipt and let us know when you're available to meet before 2pm today?

Thank you,

Pooja

On Sat, Jun 6, 2026 at 5:48 PM Pooja Boisture <[pboisture@democracyforward.org](mailto:pboisture@democracyforward.org)> wrote:

Andrew, John, and Micah,

Please find attached a letter regarding the assertions Defendants made about the Anti-Weaponization Fund in the opposition brief they filed in Floyd yesterday, and seeking to meet and confer this Monday, June 8 by 2 pm. Please let us know when you can meet on Monday.

Thank you,

Pooja

On Tue, Jun 2, 2026 at 8:14 PM Pooja Boisture <[pboisture@democracyforward.org](mailto:pboisture@democracyforward.org)> wrote:

Andrew, John, and Micah,

Please find attached a letter requesting information related to *Floyd v. DOJ* given Acting Attorney General Blanche's testimony before Congress today.

Thank you,

Pooja

On Mon, Jun 1, 2026 at 6:00 PM Pooja Boisture <[pboisture@democracyforward.org](mailto:pboisture@democracyforward.org)> wrote:

Andrew, John, and Micah,

Please find attached a letter seeking confirmations related to *Floyd v. DOJ* from your office by 12 pm tomorrow.

Thank you,

Pooja

On Fri, May 29, 2026 at 10:26 AM Block, Andrew (OASG) <Andrew.Block@usdoj.gov> wrote:

Received, thank you

Best Regards,

Andrew J. Block

Senior Counsel

Office of the Associate Attorney General

[Andrew.Block@usdoj.gov](mailto:Andrew.Block@usdoj.gov)

(c) (202) 372-7565

---

**From:** Kevin Friedl <[kfriedl@democracyforward.org](mailto:kfriedl@democracyforward.org)>  
**Sent:** Friday, May 29, 2026 10:14 AM  
**To:** Block, Andrew (OASG) <[Andrew.Block@usdoj.gov](mailto:Andrew.Block@usdoj.gov)>  
**Cc:** Adams, John (OASG) <[John.Adams5@usdoj.gov](mailto:John.Adams5@usdoj.gov)>; Fielden, Micah (OASG) <[Micah.Fielden@usdoj.gov](mailto:Micah.Fielden@usdoj.gov)>; Joel McElvain <[jmcelvain@democracyforward.org](mailto:jmcelvain@democracyforward.org)>; Pooja Boisture <[pboisture@democracyforward.org](mailto:pboisture@democracyforward.org)>; Jyoti Jasrasaria <[jjasrasaria@democracyforward.org](mailto:jjasrasaria@democracyforward.org)>; Aman George <[ageorge@democracyforward.org](mailto:ageorge@democracyforward.org)>; Jessica Morton <[jmorton@democracyforward.org](mailto:jmorton@democracyforward.org)>  
**Subject:** Re: [EXTERNAL] Floyd v DOJ, No. 26-1399 (E.D. Va.) - Anti-Weaponization Fund

Good morning,

The Court has entered an order resetting the hearing for June 12 and enjoining Defendants from taking any further action pursuant to the creation or operation of the Anti-Weaponization Fund, as set forth below and in the attached materials.

Kevin

**ORDERED that plaintiffs' Expedited Motion, [Dkt. No. 30], is DENIED and defendants request for additional time is GRANTED; however, to ensure that no funds are irreversibly disbursed from the Anti-Weaponization Fund while plaintiffs' Motion is pending. ORDERED that defendants be and are ENJOINED from taking any further action**

1484  
pursuant to the creation or operation of the Anti-Weaponization Fund, which includes the transferring of money to the Fund; the consideration of any claims submitted to the Fund; and the disbursing of any funds from the Fund. ORDERED that defendants file their Opposition to plaintiffs' Motion by close of business on Friday, June 5, 2026. ORDERED that plaintiffs file their Reply by close of business on Wednesday, June 10, 2026. ORDERED that the hearing on plaintiffs' Motion currently noticed for Friday, June 5, 2026, at 10:00 am be and is RESET to Friday, June 12, 2026 at 10:00 am. Signed by District Judge Leonie M. Brinkema on 5/29/2026. (kgall)

On Thu, May 28, 2026 at 5:42 PM Block, Andrew (OASG) <Andrew.Block@usdoj.gov> wrote:

Thank you Kevin; confirming receipt of this email and attachments as well as 4 of 4 additional emails with attachments of ECF 25 and 28.

Best Regards,

Andrew J. Block  
Senior Counsel  
Office of the Associate Attorney General

[Andrew.Block@usdoj.gov](mailto:Andrew.Block@usdoj.gov)

(c) (202) 372-7565

---

**From:** Kevin Friedl <[kfriedl@democracyforward.org](mailto:kfriedl@democracyforward.org)>  
**Sent:** Thursday, May 28, 2026 5:26 PM  
**To:** Block, Andrew (OASG) <[Andrew.Block@usdoj.gov](mailto:Andrew.Block@usdoj.gov)>  
**Cc:** Adams, John (OASG) <[John.Adams5@usdoj.gov](mailto:John.Adams5@usdoj.gov)>; Fielden, Micah (OASG) <[Micah.Fielden@usdoj.gov](mailto:Micah.Fielden@usdoj.gov)>; Joel McElvain <[jmcelvain@democracyforward.org](mailto:jmcelvain@democracyforward.org)>; Pooja Boisture <[pboisture@democracyforward.org](mailto:pboisture@democracyforward.org)>; Jyoti Jasrasaria <[jjasrasaria@democracyforward.org](mailto:jjasrasaria@democracyforward.org)>; Aman George <[ageorge@democracyforward.org](mailto:ageorge@democracyforward.org)>; Jessica Morton <[jmorton@democracyforward.org](mailto:jmorton@democracyforward.org)>  
**Subject:** Re: [EXTERNAL] Floyd v DOJ, No. 26-1399 (E.D. Va.) - Anti-Weaponization Fund

Andrew,

Our motion for a TRO and stay, and the bulk of our supporting materials, are attached here. There are two large exhibits I will need to send separately.

Kevin

On Thu, May 28, 2026 at 4:01 PM Block, Andrew (OASG) <[Andrew.Block@usdoj.gov](mailto:Andrew.Block@usdoj.gov)> wrote:

Thank you.

Get [Outlook for iOS](#)

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**From:** Kevin Friedl <[kfriedl@democracyforward.org](mailto:kfriedl@democracyforward.org)>  
**Sent:** Thursday, May 28, 2026 3:44:53 PM  
**To:** Block, Andrew (OASG) <[Andrew.Block@usdoj.gov](mailto:Andrew.Block@usdoj.gov)>  
**Cc:** Adams, John (OASG) <[John.Adams5@usdoj.gov](mailto:John.Adams5@usdoj.gov)>; Fielden, Micah (OASG) <[Micah.Fielden@usdoj.gov](mailto:Micah.Fielden@usdoj.gov)>; Joel McElvain <[jmcelvain@democracyforward.org](mailto:jmcelvain@democracyforward.org)>; Pooja Boisture <[pboisture@democracyforward.org](mailto:pboisture@democracyforward.org)>; Jyoti Jasarasaria <[jjasarasaria@democracyforward.org](mailto:jjasarasaria@democracyforward.org)>; Aman George <[ageorge@democracyforward.org](mailto:ageorge@democracyforward.org)>; Jessica Morton <[jmorton@democracyforward.org](mailto:jmorton@democracyforward.org)>  
**Subject:** Re: [EXTERNAL] Floyd v DOJ, No. 26-1399 (E.D. Va.) - Anti-Weaponization Fund

Thank you, Andrew. Received, and we will add.

On Thu, May 28, 2026 at 3:39 PM Block, Andrew (OASG) <[Andrew.Block@usdoj.gov](mailto:Andrew.Block@usdoj.gov)> wrote:

Kevin –

Please include the Defendant’s position statement, below, with respect to the June 5 hearing date and Plaintiffs’ proposed briefing schedule.

“The Defendants oppose the unreasonable briefing schedule proposed by the Plaintiffs. The Defendants have represented to the Plaintiffs that 1) a formal process for the government to receive claims for payment from the Fund has not yet been established; and 2) no money has been transferred to the Fund. Therefore, no claims have been or could imminently be formally processed, let alone adjudicated, let alone paid. The Defendants further offered to provide at least 24-hour notice to the Plaintiffs before any monies are even transferred to the Fund, thus preserving the relative positions of the parties without any current need for emergency-pace litigation that unduly burdens the court and the parties. The Plaintiffs rejected this offer, filed a Motion for Temporary Restraining Order, and now propose a needlessly rushed briefing schedule. The Defendants seek an additional week to allow for orderly briefing of the issues presented. Defendants propose a response deadline of 5 pm on Friday, June 5, a reply deadline of 5 pm on Wednesday, June 10, and oral argument (if necessary) on Friday, June 12. Under this proposal, the Defendants would still provide at least 24-hour notice of any transfer to the Fund.”

Best Regards,

Andrew J. Block

Senior Counsel 1486  
Office of the Associate Attorney General  
[Andrew.Block@usdoj.gov](mailto:Andrew.Block@usdoj.gov)  
(c) (202) 372-7565

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**From:** Kevin Friedl <[kfriedl@democracyforward.org](mailto:kfriedl@democracyforward.org)>  
**Sent:** Thursday, May 28, 2026 2:47 PM  
**To:** Block, Andrew (OASG) <[Andrew.Block@usdoj.gov](mailto:Andrew.Block@usdoj.gov)>  
**Cc:** Adams, John (OASG) <[John.Adams5@usdoj.gov](mailto:John.Adams5@usdoj.gov)>; Fielden, Micah (OASG) <[Micah.Fielden@usdoj.gov](mailto:Micah.Fielden@usdoj.gov)>; Joel McElvain <[jmcelvain@democracyforward.org](mailto:jmcelvain@democracyforward.org)>; Pooja Boisture <[pboisture@democracyforward.org](mailto:pboisture@democracyforward.org)>; Jyoti Jasrasaria <[jjasrasaria@democracyforward.org](mailto:jjasrasaria@democracyforward.org)>; Aman George <[ageorge@democracyforward.org](mailto:ageorge@democracyforward.org)>; Jessica Morton <[jmorton@democracyforward.org](mailto:jmorton@democracyforward.org)>  
**Subject:** Re: [EXTERNAL] Floyd v DOJ, No. 26-1399 (E.D. Va.) - Anti-Weaponization Fund

Andrew, I appreciate the follow-up, but we are going to have to proceed with noticing a June 5 hearing date. Twenty-four hours' notice is not a reasonable amount of time for us to go to the Court and seek appropriate relief, in the event that becomes necessary.

On Thu, May 28, 2026 at 2:15 PM Block, Andrew (OASG) <[Andrew.Block@usdoj.gov](mailto:Andrew.Block@usdoj.gov)> wrote:

Hi Kevin –

Thank you for the email. While I cannot agree that the Defendants will not take any action with respect to the Fund until June 19, I can offer that the Defendants will provide 24-hour advance notice before any monies are transferred into the Fund.

Best Regards,

Andrew J. Block  
Senior Counsel  
Office of the Associate Attorney General  
[Andrew.Block@usdoj.gov](mailto:Andrew.Block@usdoj.gov)  
(c) (202) 372-7565

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**From:** Kevin Friedl <[kfriedl@democracyforward.org](mailto:kfriedl@democracyforward.org)>  
**Sent:** Thursday, May 28, 2026 12:55 PM  
**To:** Block, Andrew (OASG) <[Andrew.Block@usdoj.gov](mailto:Andrew.Block@usdoj.gov)>  
**Cc:** Adams, John (OASG) <[John.Adams5@usdoj.gov](mailto:John.Adams5@usdoj.gov)>; Fielden, Micah (OASG)

<Micah.Fielden@usdoj.gov>, Joel McElvain <jmcelvain@democracyforward.org>; Pooja Boisture <pboisture@democracyforward.org>; Jyoti Jasrasaria <jjasrasaria@democracyforward.org>; Aman George <ageorge@democracyforward.org>; Jessica Morton <jmorton@democracyforward.org>  
**Subject:** Re: [EXTERNAL] Floyd v DOJ, No. 26-1399 (E.D. Va.) - Anti-Weaponization Fund

Andrew,

Thank you for that.

Thank you also for the call and for your confirmation that, as of now, no money has been transferred to the Fund, no claims have been paid, and no formal process has been set up to accept claims for adjudication. As we discussed, our clients require some additional assurance that those facts on the ground are not going to change suddenly and before the Court has a chance to address our motion. To that end, we could agree to a June 12 hearing date if Defendants are able to commit, and document in the motion for a briefing schedule, that no money will be transferred to the Fund, no claims will be paid, and no process will be established for adjudicating claims on the Fund until June 19, in order to allow the Court time to decide our motion for preliminary relief. Please let us know as soon as you can whether you are able to provide such commitments. If not, or if we have not heard from you by 5 pm, we will file a motion for a briefing schedule asking for the schedule we previously proposed.

Kevin

On Thu, May 28, 2026 at 12:12 PM Block, Andrew (OASG) <Andrew.Block@usdoj.gov> wrote:

Kevin –

The government agrees to waive a hearing on the motion for the briefing schedule and to receive service of all future documents and filings via email.

As discussed, we’ll continue to discuss the proposed briefing schedule,

Best Regards,

Andrew J. Block  
Senior Counsel  
Office of the Associate Attorney General

[Andrew.Block@usdoj.gov](mailto:Andrew.Block@usdoj.gov)

(c) (202) 372-7565

**From:** Kevin Friedl <kfriedl@democracyforward.org>  
**Sent:** Thursday, May 28, 2026 11:44 AM  
**To:** Block, Andrew (OASG) <Andrew.Block@usdoj.gov>  
**Cc:** Adams, John (OASG) <John.Adams5@usdoj.gov>; Fielden, Micah (OASG) <Micah.Fielden@usdoj.gov>; Joel McElvain <jmcelvain@democracyforward.org>; Pooja Boisture <pboisture@democracyforward.org>; Jyoti Jasrasaria <jjasrasaria@democracyforward.org>; Aman George <ageorge@democracyforward.org>; Jessica Morton <jmorton@democracyforward.org>  
**Subject:** Re: [EXTERNAL] Floyd v DOJ, No. 26-1399 (E.D. Va.) - Anti-Weaponization Fund

Andrew,

Thank you for agreeing to waive a hearing on the motion for a briefing schedule. Could you please also confirm here that Defendants consent to service of future filings in this case via e-mail?

Thank you again, and we'll look forward to getting your proposal on a briefing schedule later today.

Kevin

On Thu, May 28, 2026 at 10:21 AM Kevin Friedl <kfriedl@democracyforward.org> wrote:

Hi Andrew,

Thank you, 11:30 works on our end. I will circulate an invite right now.

Kevin

On Thu, May 28, 2026 at 10:20 AM Block, Andrew (OASG) <Andrew.Block@usdoj.gov> wrote:

Hi Kevin,

Can you do 11:30?

Best Regards,

Andrew J. Block

Senior Counsel

Office of the Associate Attorney General

Andrew.Block@usdoj.gov

(c) (202) 372-7565

---

**From:** Kevin Friedl <kfriedl@democracyforward.org>  
**Sent:** Thursday, May 28, 2026 10:17 AM  
**To:** Adams, John (OASG) <John.Adams5@usdoj.gov>  
**Cc:** Fielden, Micah (OASG) <Micah.Fielden@usdoj.gov>; Joel McElvain <jmcelvain@democracyforward.org>; Block, Andrew (OASG) <Andrew.Block@usdoj.gov>; Pooja Boisture <pboisture@democracyforward.org>; Jyoti Jasrasaria <jjasrasaria@democracyforward.org>; Aman George <ageorge@democracyforward.org>; Jessica Morton <jmorton@democracyforward.org>  
**Subject:** Re: [EXTERNAL] Floyd v DOJ, No. 26-1399 (E.D. Va.) - Anti-Weaponization Fund

Thanks, John. Andrew, are you available to talk before noon?

On Thu, May 28, 2026 at 10:10 AM Adams, John (OASG) <John.Adams5@usdoj.gov> wrote:

Hi Kevin,

We appreciate your patience in responding to your questions as we've been dealing with unexpected emergency motions in other cases. I'm copying our colleague Andrew Block who can meet and confer over your questions.

John

John K. Adams  
Deputy Associate Attorney General  
U.S. Department of Justice  
(202) 353-5905

---

**From:** Kevin Friedl <kfriedl@democracyforward.org>  
**Sent:** Thursday, May 28, 2026 7:54 AM  
**To:** Adams, John (OASG) <John.Adams5@usdoj.gov>  
**Cc:** Fielden, Micah (OASG) <Micah.Fielden@usdoj.gov>; Joel McElvain <jmcelvain@democracyforward.org>; Pooja Boisture <pboisture@democracyforward.org>; Jyoti Jasrasaria <jjasrasaria@democracyforward.org>; Aman George <ageorge@democracyforward.org>; Jessica Morton <jmorton@democracyforward.org>  
**Subject:** Re: [EXTERNAL] Floyd v DOJ, No. 26-1399 (E.D. Va.) - Anti-Weaponization Fund

John,

We intend to move as early as this morning for a TRO and 705 stay, and to separately move for a briefing schedule to govern that motion. Please let us know your responses to the following as soon as possible.

1. Are you available to confer this morning on the motion to set a briefing schedule? We contemplate asking that Defendants' opposition be due June 2 at 5 p.m., that Plaintiffs reply be due June 4 at 5 p.m., and the hearing be set for June 5.
2. Local rules require that motions be set for hearing unless the parties agree to submission of the motion without oral argument. Do you consent to submission of the motion for a briefing schedule without oral argument?
3. Will Defendants agree to accept service by email in this litigation going forward?

Thank you for your prompt reply on these points.

Kevin

On Wed, May 27, 2026 at 5:41 PM Kevin Friedl <[kfriedl@democracyforward.org](mailto:kfriedl@democracyforward.org)> wrote:

John,

Do you have any updates to share at this point on the questions we posed yesterday and that you all were going to try to get us a response on today? If the government is unable to provide some meaningful assurances on those points, we expect to seek preliminary relief from the Court tomorrow. Can you please also let us know your position on that motion?

Thank you,  
Kevin

On Tue, May 26, 2026 at 3:29 PM Kevin Friedl <[kfriedl@democracyforward.org](mailto:kfriedl@democracyforward.org)> wrote:

John,

Thanks for your response. The complaint and exhibits are attached here. We believe it would be useful to talk today even if you all are not yet in a position to response to our questions. I will circulate an invite now.

Kevin

On Tue, May 26, 2026 at 3:18 PM Adams, John (OASG) <[John.Adams5@usdoj.gov](mailto:John.Adams5@usdoj.gov)> wrote:

Hi Kevin,

Could you please send the complaint and exhibits so we can review? Although we haven't reviewed the complaint just yet, we can meet at 4:00 if you insist, otherwise we can find a time later this week. Given the hour, we won't be able to respond today to your questions, but I'd hope to be able to respond by Wednesday.

John

John K. Adams

Deputy Associate Attorney General

U.S. Department of Justice

(202) 353-5905

---

**From:** Kevin Friedl <kfriedl@democracyforward.org>  
**Sent:** Tuesday, May 26, 2026 2:05 PM  
**To:** Adams, John (OASG) <John.Adams5@usdoj.gov>; Fielden, Micah (OASG) <Micah.Fielden@usdoj.gov>  
**Cc:** Joel McElvain <jmcelvain@democracyforward.org>; Pooja Boisture <pboisture@democracyforward.org>; Jyoti Jasrasaria <jjasrasaria@democracyforward.org>; Aman George <ageorge@democracyforward.org>; Jessica Morton <jmorton@democracyforward.org>  
**Subject:** Fwd: [EXTERNAL] Floyd v DOJ, No. 26-1399 (E.D. Va.) - Anti-Weaponization Fund

Hi, John and Micah,

We understand you are handling this case. Can you let us know your availability to meet and confer today and if you can offer any response on our request for confirmation below?

Thank you,

Kevin

----- Forwarded message -----

**From:** Kevin Friedl <kfriedl@democracyforward.org>  
**Date:** Tue, May 26, 2026 at 2:02 PM  
**Subject:** Re: [EXTERNAL] Floyd v DOJ, No. 26-1399 (E.D. Va.) - Anti-Weaponization Fund  
**To:** Haas, Alex (CIV) <Alex.Haas@usdoj.gov>  
**Cc:** Kelleher, Diane (CIV) <Diane.Kelleher@usdoj.gov>, Barghaan, Dennis (USAVAE) <Dennis.Barghaan@usdoj.gov>, Joel McElvain <jmcelvain@democracyforward.org>, Pooja Boisture <pboisture@democracyforward.org>, Jyoti Jasrasaria <jjasrasaria@democracyforward.org>, Aman George <ageorge@democracyforward.org>, Jessica Morton <jmorton@democracyforward.org>

Thanks, Alex. We'll reach out.

On Tue, May 26, 2026 at 1:49 PM Haas, Alex (CIV) <Alex.Haas@usdoj.gov> wrote:

Hi Kevin,

John Adams ([john.adams5@usdoj.gov](mailto:john.adams5@usdoj.gov)) and Micah Fielden ([micah.fielden@usdoj.gov](mailto:micah.fielden@usdoj.gov)) will be handling these cases for the Government. I've included their email addresses.

Best,

Alex

Alexander K. Haas

Director, Federal Programs Branch

Civil Division, U.S. Department of Justice

(202) 514-1259

[alex.haas@usdoj.gov](mailto:alex.haas@usdoj.gov)

---

**From:** Kevin Friedl <[kfriedl@democracyforward.org](mailto:kfriedl@democracyforward.org)>  
**Sent:** Tuesday, May 26, 2026 9:39 AM  
**To:** Haas, Alex (CIV) <[Alex.Haas@usdoj.gov](mailto:Alex.Haas@usdoj.gov)>; Kelleher, Diane (CIV) <[Diane.Kelleher@usdoj.gov](mailto:Diane.Kelleher@usdoj.gov)>; Barghaan, Dennis (USAVAE) <[Dennis.Barghaan@usdoj.gov](mailto:Dennis.Barghaan@usdoj.gov)>  
**Cc:** Joel McElvain <[jmcelvain@democracyforward.org](mailto:jmcelvain@democracyforward.org)>; Pooja Boisture <[pboisture@democracyforward.org](mailto:pboisture@democracyforward.org)>; Jyoti Jasrasaria <[jjasrasaria@democracyforward.org](mailto:jjasrasaria@democracyforward.org)>; Aman George <[ageorge@democracyforward.org](mailto:ageorge@democracyforward.org)>; Jessica Morton <[jmorton@democracyforward.org](mailto:jmorton@democracyforward.org)>  
**Subject:** [EXTERNAL] Floyd v DOJ, No. 26-1399 (E.D. Va.) - Anti-Weaponization Fund

All,

We hope you had a nice holiday weekend. We're writing to alert you (as you may have seen) that we recently filed *Floyd v. Department of Justice*, No. 26-1399 (E.D. Va.) (complaint and exhibits attached), challenging the creation of the Anti-Weaponization Fund. We intend to move for preliminary relief, not least because the lack of transparency around the Fund means that the Fund could already have members, and even be processing claims, outside of the public eye, with resulting irreparable injury to our clients.

Per the local rules, we'd like to meet and confer **today** about an

expedited briefing schedule on the motion for preliminary relief. Can you let us know what times you'd be available?

In the meantime, by COB today, please confirm whether (1) any money has been transferred to the Anti-Weaponization Fund to date, (2) whether any claims on the Fund have been paid to date, and if not (3) the date(s) by which money will be transferred and claims will begin being paid. Alternatively, please confirm that no money will be transferred and no claims on the Fund will be processed until the Court has had an opportunity to rule on our motion for preliminary relief. Absent such a guarantee, we will be forced to seek relief from the Court on an accelerated timeline. If you could provide such guarantee, we are hopeful that the parties could negotiate a less compact schedule.

Thank you,

Kevin



**Kevin Friedl**

Senior

Counsel

Democracy

Forward

(202) 894-6035

[kfriedl@democracyforward.org](mailto:kfriedl@democracyforward.org)

[democracyforward.org](http://democracyforward.org)

**NOTICE: This communication and any attachments may contain privileged or other confidential information and is intended only for use by the individual or entity named above. If you have received this communication in error, please immediately advise the sender by reply email and immediately delete the message and any attachments without copying or disclosing the contents.**

# Attachment B



June 1, 2026

*Via Electronic Mail*

U.S. Department of Justice  
Office of the Associate Attorney General  
Deputy Associate Attorney General John Adams  
950 Pennsylvania Avenue NW  
Washington DC 20530-0001

U.S. Department of Justice  
Office of the Associate Attorney General  
Deputy Associate Attorney General Micah Fielden  
950 Pennsylvania Avenue NW  
Washington DC 20530-0001

U.S. Department of Justice  
Office of the Associate Attorney General  
Senior Counsel Andrew Block  
950 Pennsylvania Avenue NW  
Washington DC 20530-0001

*Re: Floyd v. DOJ, No. 1:26-cv-1399-LMB (E.D. Va.)*

Dear Mr. Adams, Mr. Fielden, and Mr. Block,

Democracy Forward Foundation (“DFF”) represents Plaintiffs in the above-captioned matter. As you are aware, the Court issued an order on Friday, May 29, 2026, enjoining Defendants “from taking any further action pursuant to the creation or operation of the Anti-Weaponization Fund, which includes the transferring of money to the Fund; the consideration of any claims submitted to the Fund; and the disbursing of any funds from the Fund.” Order, *Floyd v. DOJ*, No. 1:26-cv-1399 (E.D. Va. May 29, 2026), ECF No. 31.

We were gratified to learn that earlier today, the Department of Justice stated on social media that it intends to “abide by the Court’s ruling” in this case.<sup>1</sup> Please confirm that until Plaintiffs’ motion is resolved in the above-captioned matter that the Department of Justice, Department of

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<sup>1</sup> Dep’t of Justice (@TheJusticeDept), X (June 1, 2026, at 3:32 PM), <https://perma.cc/3ECW-ET9L>.

the Treasury, the Anti-Weaponization Fund (the “Fund”), and their officers, employees, consultants, and any agents have not taken and will not take the following actions:

- Take any steps to transfer money to the Fund, including but not limited to actually transferring any money to the Fund
- Take any steps to accept claims submitted to the Fund, including but not limited to actually accepting any claim submitted to the Fund
- Take any steps to consider claims submitted to the Fund, including but not limited to actually considering any claim submitted to the Fund
- Take any steps to process claims submitted to the Fund, including but not limited to actually processing any claim submitted to the Fund
- Take any steps to make payments out of the Fund, including but not limited to actually making any payment out of the Fund
- Take any steps to appoint Members to the Fund, including by considering applications or meeting with potential candidates
- Take any steps to establish rules or procedures governing the Fund
- Take any steps to destroy documents relating to the Fund, its creation, its procedures, or claims submitted to it, including relevant documents from the settlement of *Trump v. IRS*, No. 1:26-cv-20609 (S.D. Fla.)
- Take any steps to reconstitute the Fund under a different name
- Take any steps to effectuate or act under the Fund’s purported authority

Relatedly, public reporting from multiple news outlets this afternoon indicates that the administration plans to abandon the Fund. Please confirm the accuracy of these reports given the judicial and government resources currently devoted to the defense of the above-captioned matter and our clients’ injuries that flow from the Fund’s unlawful creation and implementation.

We expect your immediate attention to this request. Please provide us with your response as soon as possible and, in any event, no later than 12 p.m. ET on June 2, 2026. We reserve all rights of our clients to pursue a response to this request, as well as the enforcement of their rights, through the judicial process. We trust that you appreciate the gravity of these issues for our clients and for the American public.

Sincerely,

/s Pooja A. Boisture  
Pooja A. Boisture  
Jyoti Jasrasaria  
Aman George

Ayesha Khan  
Robin F. Thurston  
Skye L. Perryman  
Telephone: (202) 448-9090  
Democracy Forward Foundation  
P.O. Box 34553  
Washington, D.C. 20043

*Counsel for Plaintiffs*

# Attachment C



June 2, 2026

*Via Electronic Mail*

U.S. Department of Justice  
Office of the Associate Attorney General  
Deputy Associate Attorney General John Adams  
950 Pennsylvania Avenue NW  
Washington DC 20530-0001

U.S. Department of Justice  
Office of the Associate Attorney General  
Deputy Associate Attorney General Micah Fielden  
950 Pennsylvania Avenue NW  
Washington DC 20530-0001

U.S. Department of Justice  
Office of the Associate Attorney General  
Senior Counsel Andrew Block  
950 Pennsylvania Avenue NW  
Washington DC 20530-0001

*Re: Floyd v. DOJ, No. 1:26-cv-1399-LMB (E.D. Va.)*

Dear Mr. Adams, Mr. Fielden, and Mr. Block,

Democracy Forward Foundation (“DFF”) represents Plaintiffs in the above-captioned matter. As you are aware, the Court issued an order on Friday, May 29, 2026, enjoining Defendants “from taking any further action pursuant to the creation or operation of the Anti-Weaponization Fund, which includes the transferring of money to the Fund; the consideration of any claims submitted to the Fund; and the disbursing of any funds from the Fund.” Order, *Floyd v. DOJ*, No. 1:26-cv-1399 (E.D. Va. May 29, 2026), ECF No. 31.

Yesterday, Plaintiffs sent you a letter seeking to confirm compliance with that Order, and received no response. We request that you provide a prompt response to clarify the government’s compliance to date with that Order.

Further, earlier today, Acting Attorney General Todd Blanche testified that notwithstanding what the Department of Justice does in this and other litigations challenging the Anti-Weaponization Fund (the “Fund”), the Department is not moving forward with the Fund.

Acting Attorney General Blanche also testified that the Department has taken no steps towards appointing Members to the Fund or receiving claims for payment from the Fund.

Please clarify exactly what Acting Attorney General Blanche meant when he said the Department is not moving forward with the Anti-Weaponization Fund. Further, please clarify the Department's understanding of the effect, if any, of the claimed abandonment of the Fund on the settlement provisions the government agreed to in *Trump v. IRS*, No. 1:26-cv-20609 (S.D. Fla.).

Given the judicial and party resources currently devoted to the above-captioned matter and our clients' injuries that flow from the Fund's unlawful creation and implementation, timely receipt of this information is of the essence. We expect your immediate attention to this request. Please provide us with your response as soon as possible and, in any event, no later than 12 p.m. ET on June 3, 2026. We reserve all rights of our clients to pursue a response to this request, as well as the enforcement of their rights, through the judicial process.

We trust that you appreciate the gravity of these issues for our clients and for the American public.

Sincerely,

/s Pooja A. Boisture

Pooja A. Boisture

Jyoti Jasrasaria

Aman George

Ayesha Khan

Robin F. Thurston

Skye L. Perryman

Telephone: (202) 448-9090

Democracy Forward Foundation

P.O. Box 34553

Washington, D.C. 20043

*Counsel for Plaintiffs*

# Attachment D



June 6, 2026

*Via Electronic Mail*

U.S. Department of Justice  
Office of the Associate Attorney General  
Deputy Associate Attorney General John Adams  
950 Pennsylvania Avenue NW  
Washington DC 20530-0001

U.S. Department of Justice  
Office of the Associate Attorney General  
Deputy Associate Attorney General Micah Fielden  
950 Pennsylvania Avenue NW  
Washington DC 20530-0001

U.S. Department of Justice  
Office of the Associate Attorney General  
Senior Counsel Andrew Block  
950 Pennsylvania Avenue NW  
Washington DC 20530-0001

*Re: Floyd v. DOJ, No. 1:26-cv-1399-LMB (E.D. Va.)*

Dear Mr. Adams, Mr. Fielden, and Mr. Block,

We represent Plaintiffs in the above-referenced matter. We write to follow-up on our recent correspondence (to which you have not responded) regarding the government’s compliance with the Court’s May 29 Order and the status of the “Anti-Weaponization Fund,” as well as the representations Defendants made to the Court yesterday evening in their opposition to Plaintiffs’ motion for preliminary relief. In that opposition, Defendants represent that the “Anti-Weaponization Fund” is “not going forward” and argue that Plaintiffs’ case is now moot. ECF No. 62 at 1. We write to obtain further written clarification about the government’s claimed dissolution of the “Anti-Weaponization Fund” and to **request a meet-and-confer on or before Monday, June 8 at 2 pm** to discuss our intent to file a motion for expedited discovery to ascertain the disposition of the Fund, and to discuss any necessary modifications to the existing schedule on our motion for preliminary relief.

This week, Plaintiffs sent you two letters—one primarily focused on compliance with the Order, and another requesting clarification of public statements made by administration officials,

including to Congress, about the administration's plans for the Anti-Weaponization Fund. You have not acknowledged or responded to either letter. Last evening, Defendants filed their opposition brief to Plaintiffs' motion for preliminary relief, asserting that the "Anti-Weaponization Fund" at issue in this case "is now not going forward." ECF No. 62 at 1.

Defendants' silence in response to our prior correspondence combined with the assertions they make in the opposition brief raise questions that must be answered for Plaintiffs and the Court to assess Defendants' positions. We write to request that Defendants provide information necessary for Plaintiffs and the Court to make those assessments. Should Defendants refuse to do so, we intend to move for expedited discovery.

As noted in Plaintiffs' letter of June 2, the actual plans for and disposition of the Fund are critical to understand. Despite asserting that the Fund is "not going forward" in a court filing, Defendants did not introduce any competent evidence about the administration's current plans for the Fund. No declarations from relevant officials or official documentation supporting the administration's purported plans to halt implementation of the Fund were attached to the brief. Defendants have further declined to provide any assurances to Plaintiffs that the Fund will not proceed. The only support Defendants point to for their position is an isolated, unsworn statement by the Acting Attorney General earlier this week. *See* ECF No. 62 at 2.

Defendants have also not provided *any* indication of their understanding of the effect of the claimed abandonment of the Fund on the agreement to "settle" between the parties in *Trump v. IRS*, No. 1:26-cv-20609 (S.D. Fla.) ("Agreement")—something Plaintiffs sought clarification on in the June 2 letter. These are critical issues for Plaintiffs and for the Court to understand. The Agreement in the *Trump v. IRS* case on its face *commits* the Department of Justice ("the Department") to establishing the Fund; moreover, the Agreement provides that it "may be modified only with the written agreement of the Parties." Agreement §§ III.C, IV.A, VIII. Defendants have not produced any evidence of a written agreement between the *Trump v. IRS* parties modifying the Agreement or any evidence suggesting that the Department does not consider the Agreement valid. There is no clarity on whether plaintiffs in the *Trump v. IRS* case have agreed to abandon the Fund; whether the parties have signed (or intend to sign) a written modification to that effect; whether the government is unilaterally breaching that Agreement; or whether the plaintiffs in that case are abandoning their right to seek enforcement of the Agreement. *See* Agreement § VI (Enforcement). Absent any competent evidence submitted before this Court, Plaintiffs in this case and the Court have no basis to believe that the Department would treat the Agreement in the *Trump v. IRS* case as invalid and therefore no basis to confirm the representations made in Defendants' opposition brief that the Fund is "now not going forward." ECF No. 62 at 1.

These questions are all the more pressing given that President Trump, also a party to the Agreement in *Trump v. IRS*, has repeatedly *declined* to confirm that he has abandoned the Fund. On June 3, President Trump said “I’d have to ask the lawyers. I don’t know,” when asked whether the government had fully abandoned the Fund.<sup>1</sup> In a separate interview the same day, President Trump was asked whether he had dropped the Fund, and he responded “No, a court ruled against it,” presumably referring to the May 29 Order in this case, then continued to defend the Fund, saying he was “very proud to have given [people] pardons” and that he “thinks they should be reimbursed for a crooked government.”<sup>2</sup> As you well know, being subject to a temporary court order is not an indicator that the government has abandoned plans to take any particular action, and President Trump’s statements on this matter are far from clear as to the current state or future of the Fund.

At this juncture, the record available to the Plaintiffs and the Court provides no meaningful and well-supported assurances that the Fund will not proceed; nor is there sufficient information to assess the veracity of Defendants’ statements that it is not proceeding. Plaintiffs therefore respectfully request that Defendants confirm by no later than 2pm on Monday, June 8 that they can provide competent evidence (including, where appropriate, sworn statements) that confirms:

- Defendants will not move forward with any aspect of establishing or operating the Anti-Weaponization Fund;
- The provisions of the Agreement terms binding the government to establish the Fund are no longer binding on the government;
- The May 18, 2026, Order issued by Acting Attorney General Blanche to effectuate the creation of the Fund has been rescinded;
- No funding has been transferred to the Fund;
- No claims have been received, retained, considered, or otherwise processed by the Fund;
- No documents relating to the Fund have been or will be destroyed; and
- No Members have been or will be identified for the Fund.

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<sup>1</sup> *Legal battle over Trump’s \$1.8B ‘anti-weaponization’ fund rages on*, USA Today, <https://www.usatoday.com/story/news/politics/2026/06/05/donald-trump-doj-anti-weaponization-fund-lawsuits/90407130007/>.

<sup>2</sup> *Donald Trump Unleashed: Bibi, “Are You Effing Crazy?!”* Pod Force One with Miranda Devine and New York Post, 40:34-41:13, <https://www.youtube.com/watch?v=SLnB511PxCY>.

Absent competent, clear, binding evidence that the Fund will not operate and Plaintiffs' harms will not come to pass, Plaintiffs intend to seek limited discovery regarding the points above.

Please provide the information requested in this letter as soon as possible. We ask that you advise by no later than 2pm on June 8th whether Defendants intend to cooperate with these requests and, if you will not comply, your position on our anticipated motion for expedited discovery into these issues and any related modifications to the schedule in this case that may be necessary.

Sincerely,

/s Pooja A. Boisture

Pooja A. Boisture

Jyoti Jasrasaria

Aman George

Ayesha Khan

Robin F. Thurston

Skye L. Perryman

Telephone: (202) 448-9090

Democracy Forward Foundation

P.O. Box 34553

Washington, D.C. 20043

*Counsel for Plaintiffs*

# Attachment E



Office of the Associate Attorney General

The Associate Attorney General

Washington, D.C. 20530

June 8, 2026

Democracy Forward Foundation  
Attn: Pooja A. Boisture  
P.O. Box 34553  
Washington, D.C. 20043  
Telephone: (202) 448-9090

*Re: Response to Letters in Floyd v. DOJ, No. 1:26-cv-1399-LMB (E.D. Va.)*

Dear Counsel:

I write to confirm receipt of your letters dated June 1, 2, and 6, 2026, in which you make various demands for information and seek additional assurances.

As we have explained multiple times over the past two weeks—including before you filed your pending motion for a Temporary Restraining Order—no members have been appointed to the Anti-Weaponization Fund, no process for accepting claims has been established, no money has been moved, and no claims have been paid. We reiterated these facts in our briefing filed Friday, June 5, 2026, with the Court. *See* ECF. No. 62 at 9.

Regards,

A handwritten signature in black ink, appearing to be "SEW", written over the word "Regards,".

Stanley E. Woodward, Jr.

# Attachment F



June 8, 2026

*Via Electronic Mail*

U.S. Department of Justice  
Office of the Associate Attorney General  
Associate Attorney General Stanley Woodward  
950 Pennsylvania Avenue NW  
Washington DC 20530-0001

U.S. Department of Justice  
Office of the Associate Attorney General  
Deputy Associate Attorney General John Adams  
950 Pennsylvania Avenue NW  
Washington DC 20530-0001

U.S. Department of Justice  
Office of the Associate Attorney General  
Deputy Associate Attorney General Micah Fielden  
950 Pennsylvania Avenue NW  
Washington DC 20530-0001

U.S. Department of Justice  
Office of the Associate Attorney General  
Senior Counsel Andrew Block  
950 Pennsylvania Avenue NW  
Washington DC 20530-0001

*Re: Floyd v. DOJ, No. 1:26-cv-1399-LMB (E.D. Va.)*

Dear Mr. Woodward, Mr. Adams, Mr. Fielden, and Mr. Block,

We are in receipt of your letter which you sent at 2:27 pm today and are available to meet and confer at 10 a.m. ET tomorrow, June 9. Notably, your letter does not confirm that the Anti-Weaponization Fund is “not going forward,” ECF No. 62 at 1, much less provide evidence in support of that assertion, and instead simply states that Defendants have not yet taken various steps to effectuate the Fund.

Time is now of the essence, as we have sent repeated requests over the past week for written assurances and competent evidence that the Fund will not go forward but received no

acknowledgment or response until your letter today, which, as noted, lacks confirmation that the Fund will not go forward. If we do not receive the written assurances that we requested in our letter dated June 6, by way of competent and binding evidence, by tomorrow's meet and confer, Plaintiffs intend to move the Court for relief by noon. We will request that the Court (1) grant Plaintiffs limited discovery for the purpose of examining the status and future plans for the Fund, as outlined in our letter dated June 6; and (2) continue the current schedule on Plaintiffs' motions for preliminary relief (ECF Nos. 24, 27) to allow for the requested discovery. To be clear, our understanding of the Court's Order of May 29 (ECF No. 31), provides that the current injunction would continue in place during this period. We do not anticipate this would prejudice the government given your representation in your filing on Friday that the Fund is not active.

Accordingly, we plan to seek your position on the following during tomorrow's call:

1. Will Defendants agree to limited discovery regarding the status and future plans for the Fund?
2. Will Defendants agree to continue the hearing on Plaintiffs' motion for preliminary relief while discovery is ongoing?
3. Will Defendants agree to the following schedule? If not, please provide alternate dates.
  - a. Thursday, June 18: Defendants submit their written discovery responses;
  - b. Wednesday, June 24: Plaintiffs and Defendants both file any supplemental briefs discussing the relevance of Defendants' discovery responses to Plaintiffs' pending motion for preliminary relief;
  - c. Friday, June 26: Date on which we would request the Court hold a rescheduled hearing on Plaintiffs' motion for preliminary relief.
4. Will Defendants agree to waive a hearing on Plaintiffs' expedited motion for limited expedited discovery?
5. Will Defendants agree to waive a hearing on Plaintiffs' expedited motion to amend the schedule?

We look forward to meeting tomorrow morning to confer on the above-listed items.

Sincerely,

/s Pooja A. Boisture

Pooja A. Boisture

Jyoti Jasrasaria

Aman George

Ayesha Khan

Robin F. Thurston

Skye L. Perryman  
Telephone: (202) 448-9090  
Democracy Forward Foundation  
P.O. Box 34553  
Washington, D.C. 20043

*Counsel for Plaintiffs*

# Exhibit B

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
ALEXANDRIA DIVISION

**Andrew Floyd, et al.,**

Plaintiffs,

vs.

**Department of Justice, et al.,**

Defendants.

**Case No. 26-cv-1399-LMB**

---

**PLAINTIFFS’ [PROPOSED] FIRST REQUEST FOR PRODUCTION OF DOCUMENTS**

Plaintiffs Andrew Floyd, Jonathan Caravello, City of New Haven, National Abortion Federation, and Common Cause, through their undersigned attorneys, propound the following Requests for Production of Documents (“RFPs”) to Defendants.

**DEFINITIONS**

The following definitions shall apply to the Requests for Production:

1. “Department” and “DOJ” mean the U.S. Department of Justice.
2. “Agreement” means the “Settlement Agreement” filed in *Trump v. IRS*, Case No. 1:26-cv-20609 (S.D. Fla.), that committed the Department to the creation of a \$1.776 billion “Anti-Weaponization” fund. Settlement Agreement, Ex. A, 7-16, ECF No. 25-1.
3. “Fund” means the \$1.776 billion “Anti-Weaponization Fund” that DOJ announced as part of the agreement to settle *Trump v. IRS*. ECF No. 25-1 at 7-16.
4. “Blanche Order” means the May 18, 2026 order issued by Acting Attorney General Blanche, directing a payment of \$1.776 billion from the U.S. Department of the Treasury to an

account for the sole use by the Anti-Weaponization Fund. Blanche Order, Ex. B, 19-21, ECF No. 25-1.

5. The term “identify,” when used in connection with the term “individual” or “individuals,” means to state, to the extent known, the person’s full name; present or last known address; e-mail address; and telephone number. When “identify” is used in connection with an entity rather than a natural person, it means to state, to the extent known, identifying information for the entity and the natural persons acting as contacts for the entity in connection with the subject matter covered by the relevant request.

6. When referring to documents, “identify” means to state, to the extent known, the type, date, author, title, and, if applicable, addressee(s) and/or recipient(s) of the document.

7. The term “communication” means a transmittal of information in the form of facts, ideas, inquiries, or otherwise.

8. The term “document” means any document or electronically stored information as described in Federal Rule of Civil Procedure 34(a), including but not limited to emails, email attachments, complete email chains, calendar invitations, calendar invitation attachments, text messages, messages sent on messaging platforms (including but not limited to Slack, Microsoft Teams, WhatsApp, Signal, or GChat), records, reports, memoranda, written agreements, and system tickets, logs, records, reports, or output. A draft or a nonidentical copy, including any copy bearing any notation or mark not found on the original, is a separate document within the meaning of this term.

9. The term “concerning” means relating to, referring to, describing, evidencing, or constituting.

10. The use of the singular form of any word includes the plural and vice versa.

11. The use of a verb in any tense shall encompass all other tenses, wherever necessary, to bring within the scope of the discovery request matters that might otherwise be construed as outside the scope of the request.

12. The use of a masculine, feminine, or neutral pronoun shall be construed to refer to all other gender pronouns.

13. The words “and” and “or” are intended to be construed conjunctively or disjunctively as necessary to make the Request inclusive rather than exclusive.

14. “Including” means “including, but not limited to.”

### **INSTRUCTIONS**

1. Complete and return responses to the below requests, or file any objections, by the earlier of any deadline set by the Court, or seven days after service of the below interrogatories and requests.

2. Defendants’ written response shall state, with respect to each item or category, that inspection and related activities will be permitted as requested unless the request is refused, in which event the reasons for refusal shall be stated. If the refusal relates to part of an item or category, the part shall be specified.

3. Provide documents in both original native format with all metadata and consecutively Bates-stamped PDFs.

4. Absent your concurrent and written objection, your production of a document in response to written discovery authenticates the document for use against you in any pretrial proceeding or at trial.

5. Where documents or things in the possession, custody, or control of any individual, agency, office, firm, corporation, or partnership are requested, such request also

pertains to documents in the possession, custody, or control of employees, agents, guardians, partners, representatives, and—unless privileged or protected—attorneys of such individuals, agencies, offices, firms, corporations, or partnerships.

6. *If*, in responding to these Requests, you encounter any ambiguity in construing any request, instruction, or definition, set forth the matter deemed ambiguous and the construction used in responding.

7. If an objection to a request is based upon a claim of privilege, attorney work product, or any other basis, please identify, contemporaneously with producing responses to these Requests, or as otherwise agreed upon by the parties, in writing each document so withheld by providing the following information:

- a. the date or approximate date of the document;
- b. the type of document (e.g., letter, memorandum);
- c. a description of the subject matter of the document;
- d. each and every person who prepared, signed, or participated in the preparation of the document or any copy thereof;
- e. each and every person who received the document or any copy thereof;
- f. the present custodian(s) of each document;
- g. a list of attachments or enclosures to the documents; and
- h. the nature of the privilege asserted and any statutes, rules, or cases that you contend support the assertion of privilege.

8. Identify and produce all segregable portions of any responsive document to which a claim of privilege, attorney work product, or other basis for withholding the document does not apply.

9. These Requests for Production of Documents are continuing in character so as to require you to promptly amend or supplement your response if you discover or obtain further materials in accordance with Fed. R. Civ. P. 26(e).

10. If any document requested herein has been lost, discarded, or destroyed, please furnish a list identifying each such document as completely as possible including, without limitation, the following information: its author and addressee, each person to whom copies of the document were furnished or to whom the contents thereof were communicated, a comprehensive summary of the substance of the document, the date (or approximate date) of its disposal, the manner of its disposal, the reason for its disposal, the person authorizing its disposal, and the person disposing of the document.

### **REQUESTS**

1. Any and all documents and/or communications referencing, containing, or concerning communications about the current status, operation, or plans for the Anti-Weaponization Fund, as set forth in Defendants' June 5, 2026 opposition brief, ECF 62.

2. Any and all documents and/or communications referencing, containing, or concerning whether provisions of the Agreement terms are no longer binding on Defendants and/or the government, or otherwise operational.

3. Any and all documents and/or communications referencing, containing, or concerning the rescission of the Blanche Order.

4. Any and all documents and/or communications referencing, containing, or concerning modifications to (or termination of) the Agreement.

5. Any and all documents and/or communications referencing, containing, or concerning any claims that have been received, retained, considered, or otherwise processed by the Fund.

6. Any bank records, transaction receipts, or financial documents that show funds being transferred into or withdrawn from the Fund.

## PLAINTIFFS' [PROPOSED] FIRST SET OF INTERROGATORIES

Plaintiffs Andrew Floyd, Jonathan Caravello, City of New Haven, National Abortion Federation, and Common Cause, through their undersigned attorneys, propound the following Interrogatories to Defendants.

### DEFINITIONS

The following definitions shall apply to the Interrogatories:

1. "Department" and "DOJ" mean the U.S. Department of Justice.
2. "Agreement" means the "Settlement Agreement" filed in *Trump v. IRS*, Case No. 1:26-cv-20609 (S.D. Fla.), that committed the Department to the creation of a \$1.776 billion "Anti-Weaponization" fund. Settlement Agreement, Ex. A, 7-16, ECF No. 25-1.
3. "Fund" means the \$1.776 billion "Anti-Weaponization Fund" that DOJ announced as part of the agreement to settle *Trump v. IRS*. ECF No. 25-1 at 7-16.
4. "Blanche Order" means the May 18, 2026 order issued by Acting Attorney General Blanche, directing a payment of \$1.776 billion from the U.S. Department of the Treasury to an account for the sole use by the Anti-Weaponization Fund. Blanche Order, Ex. B, 19-21, ECF No. 25-1.
5. The term "identify," when used in connection with the term "individual" or "individuals," means to state, to the extent known, the person's full name; present or last known address; e-mail address; and telephone number. When "identify" is used in connection with an entity rather than a natural person, it means to state, to the extent known, identifying information for the entity and the natural persons acting as contacts for the entity in connection with the subject matter covered by the relevant request.
6. When referring to documents, "identify" means to state, to the extent known, the type, date, author, title, and, if applicable, addressee(s) and/or recipient(s) of the document.

7. The term “communication” means a transmittal of information in the form of facts, ideas, inquiries, or otherwise.

8. The term “document” means any document or electronically stored information as described in Federal Rule of Civil Procedure 34(a), including but not limited to emails, email attachments, complete email chains, calendar invitations, calendar invitation attachments, text messages, messages sent on messaging platforms (including but not limited to Slack, Microsoft Teams, WhatsApp, Signal, or GChat), records, reports, memoranda, written agreements, and system tickets, logs, records, reports, or output. A draft or a nonidentical copy, including any copy bearing any notation or mark not found on the original, is a separate document within the meaning of this term.

9. The term “concerning” means relating to, referring to, describing, evidencing, or constituting.

10. The use of the singular form of any word includes the plural and vice versa.

11. The use of a verb in any tense shall encompass all other tenses, wherever necessary, to bring within the scope of the discovery request matters that might otherwise be construed as outside the scope of the request.

12. The use of a masculine, feminine, or neutral pronoun shall be construed to refer to all other gender pronouns.

13. The words “and” and “or” are intended to be construed conjunctively or disjunctively as necessary to make the Request inclusive rather than exclusive.

14. “Including” means “including, but not limited to.”

## INSTRUCTIONS

1. Respond to the below interrogatories, or file any objections, by the earlier of any deadline set by the Court, or seven days after service of the below interrogatories and requests.

2. In answering these Interrogatories, you should furnish such information as is known to you regardless of whether this information is obtained by you, known by you, or known to or obtained by any of your attorneys, or other agents or representatives. In answering each Interrogatory set forth herein, furnish all information that is available to Defendant. If you are unable to answer any Interrogatory in full, please explain why you are unable to answer it, state the nature of the information and knowledge you cannot furnish, and answer it to the fullest extent possible. If your answers are qualified in any manner, state the nature of the qualification.

3. If, in responding to these Interrogatories, you encounter any ambiguity in construing any Interrogatory, instruction, or definition, set forth the matter deemed ambiguous and the construction used in responding.

4. If an objection to an Interrogatory is based upon a claim of privilege, attorney work product, or any other basis, please identify, in writing, each piece of information so withheld by providing the following information:

- a. the possessor(s), author(s), addressee(s), present custodian(s), and date of such information;
- b. all other persons who have seen or learned of all or part of any such information;
- c. the method by which, and reason why, each such person obtained access to such information;
- d. a summary of such information; and

- e. the nature of the privilege asserted and any statutes, rules, or cases that you contend support the assertion of privilege.

5. These Interrogatories are continuing in character so as to require you to promptly amend or supplement your response if you discover or obtain further material information in accordance with Fed. R. Civ. P. 26(e).

### **INTERROGATORIES**

1. Detail—with reference to the relevant date(s) and/or time(s)—all actions Defendants took to establish or operate the Fund.

2. Detail—with reference to the relevant date(s) and/or time(s) of day—all actions taken by Defendants to rescind, wind down, dismantle, pause, or otherwise cease operations of the Fund.

3. Identify any communications between the government and the plaintiffs in the *Trump v. IRS* case that modified or abandoned the Agreement.

4. Identify any decisions or plans to provide redress to individuals who may have applied for relief from the Fund from sources other than the Fund.

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
ALEXANDRIA DIVISION

**Andrew Floyd, et al.,**

Plaintiffs,

v.

**Department of Justice, et al.,**

Defendants.

Case No. **26-cv-1399-LMB**

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**[PROPOSED] ORDER**

Upon consideration of Plaintiffs' motion for limited expedited discovery, it is hereby

**ORDERED** that the motion is **GRANTED**; it is further

**ORDERED** that Defendants must respond to Plaintiffs' written discovery requests by  
Thursday, June 18.

**SO ORDERED.**

Dated: \_\_\_\_\_, 2026

\_\_\_\_\_  
THE HON. LEONIE M. BRINKEMA  
UNITED STATES DISTRICT JUDGE