

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA**

ENERGY POLICY ADVOCATES	)	
	)	
Plaintiff,	)	
v.	)	C.A. No. 19 - 3307
	)	
UNITED STATES DEPARTMENT OF STATE,	)	
	)	
Defendant.	)	

**PLAINTIFF’S MOTION FOR A PRELIMINARY INJUNCTION**

Pursuant to Federal Rules of Civil Procedure 65, Plaintiff, Energy Policy Advocates, respectfully moves this Court to issue a preliminary injunction enjoining Defendant, the United States Department of State, from unlawfully continuing to impede Plaintiff’s access to records that must be made available under the Freedom of Information Act, 5 U.S.C. § 552 (“FOIA”). Plaintiff seeks injunctive relief ordering Defendant to provide Plaintiff with expedited processing and production of readily accessible and identified records responsive to the request by October 15, 2020 or by such dates as the Court deems appropriate.

Plaintiff’s request seeks records concerning the United States’ entry into the December 2015 Paris Climate Agreement without Art. II, Sec. 2 Senate “advice and consent,” despite Paris being an agreement treated by other nations as a treaty.

The requested records are of critical importance and timeliness, and will soon go stale for public policy purposes. But the Defendant State Department recently informed Plaintiff and this Court that although it was processing records requests under the Freedom of Information Act, it is not processing the request at issue in this suit. See Dkt. No. 17.

The grounds for this motion are set forth in the accompanying Memorandum in Support of Plaintiff's Motion for a Preliminary Injunction. Pursuant to Local Rule 65.1(d), Plaintiff requests this Court schedule a hearing on this motion at the Court's earliest convenience.

Respectfully Submitted this the 18th day of August, 2020,

/s/Matthew D. Hardin

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**Certificate of Service**

I hereby certify that on this the 17th day of August, 2020, I will file the foregoing with the Court's CM/ECFG system, which will electronically provide notice to all counsel of record.

/s/Matthew D. Hardin

Matthew D. Hardin