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 13 IN THE UNITED STATES DISTRICT COURT  
 14 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
 15 SAN FRANCISCO DIVISION

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 17 **NEETA THAKUR, et al.,**

18 Plaintiffs,

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 20 v.

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 22 **DONALD J. TRUMP, et al.,**

23 Defendants,  
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Case No. 3:25-cv-04737-RFL

Assigned to the Honorable Rita F. Lin

**ADMINISTRATIVE MOTION TO  
 CONSIDER WHETHER CASES  
 SHOULD BE RELATED**

1 The States of California, Colorado, Washington, Connecticut, Illinois, Maryland, New  
2 Jersey, New York, Oregon, Rhode Island, Vermont, and Wisconsin, the Commonwealth of  
3 Massachusetts, and the California Governor’s Office of Business and Economic Development are  
4 plaintiffs in the action titled *California, et al. v. Wright, et al.*, No. 3: 26-cv-01417-RS  
5 (“Multistate Action”), filed on February 18, 2026, in the Northern District of California.  
6 Plaintiffs hereby submit this administrative motion to notify the Court of that action and request  
7 that it be related to the above-captioned matter titled *Thakur, et al. v. Trump, et al.*, No. 3:25-cv-  
8 4737 (the “Thakur Action” and, together, the “Actions”). The plaintiffs in the Multistate Action  
9 and the plaintiffs in the Thakur Action have consented to the relation of the Actions; the federal  
10 entities that are the defendants in those actions declined to consent.

11 The Actions challenge some of the same funding decisions by the U.S. Department of  
12 Energy (“DOE”) and the Secretary of Energy on many of the same grounds. They should be  
13 related because they meet both requirements of Local Rule 3-12: cases are related when they  
14 “concern substantially the same parties, property, transaction, or event,” and it “appears likely  
15 that there will be an unduly burdensome duplication of labor and expense or conflicting results if  
16 the cases are conducted before different Judges.” L.R. 3-12(a).

17 First, the Actions concern substantially the same parties and events. Both Actions name  
18 DOE and the Secretary of Energy as defendants. Additionally, one of the plaintiffs in the Thakur  
19 Action is Plamen Atanassov, who planned to serve as Senior Advisor for Business Development  
20 to ARCHES H2 LLC, an energy project whose federal funding was terminated by DOE;  
21 Atanassov alleges harms based on DOE’s termination of ARCHES funding. (Thakur Action  
22 Complaint (ECF 184) (“Thakur Complaint”) ¶¶ 632, 644.) In the Multistate Action, ARCHES’s  
23 interests are represented through derivative claims brought by one of its members, plaintiff  
24 California Governor’s Office of Business and Economic Development. (Multistate Action  
25 Complaint (26-cv-01417-RS, ECF 1) (“Multistate Complaint”) ¶¶ 202–08.)

26 Both Actions also involve substantially the same underlying transactions or events. Both  
27 concern DOE’s promulgation of a “Secretarial Policy” purporting to initiate an unlawful agency-  
28 wide funding review. (Thakur Complaint ¶¶ 609–11; Multistate Complaint ¶¶ 59–61.) Both

1 concern DOE and the Office of Management and Budget’s announcement of award terminations  
2 that targeted sixteen “blue” States. (Thakur Complaint ¶¶ 612–23; Multistate Complaint ¶¶ 6, 72–  
3 73.) Both concern termination of funding for the ARCHES project, among other claims. (Thakur  
4 Complaint ¶¶ 633–51; Multistate Complaint ¶¶ 100–07.) And more broadly, both Actions  
5 concern the early-October termination of DOE awards to various other recipients. (Thakur  
6 Complaint ¶¶ 652–76; Multistate Complaint ¶¶ 90–91.)

7 Second, the significant factual overlap between the Actions, summarized above, would  
8 result in unduly burdensome duplication of labor and expenses if they were to be heard by  
9 different district judges. Were the Court to conclude that the Actions were related, however, a  
10 significant number of factual questions could be resolved simultaneously for both cases, as  
11 appropriate.

12 Moreover, there is significant overlap in the legal theories presented in each case, even if  
13 they are not entirely identical. For example, both Actions challenge DOE’s refusal to spend funds  
14 appropriated by Congress for DOE programs as a violation of constitutional separation-of-powers  
15 principles. (Thakur Complaint ¶¶ 721–23; Multistate Complaint ¶¶ 209–17.) Both actions  
16 challenge the same refusal as a violation of the congressional directives that require the Executive  
17 Branch to fund and maintain those programs, in turn violating the Administrative Procedure Act.  
18 (Thakur Complaint ¶¶ 721–23; Multistate Complaint ¶¶ 218–22.) Both Actions claim that DOE’s  
19 termination of the ARCHES cooperative agreement violated the equal-protection principles  
20 contained in the Due Process Clause of the Fifth Amendment. (Thakur Complaint ¶¶ 735–37;  
21 Multistate Complaint ¶¶ 247–50). Relating these cases will lower the risk of conflicting rulings  
22 on each of those issues and will provide opportunities to coordinate merits briefing, as  
23 appropriate.

24 Local Rule 7-11(a) requires an administrative motion “be accompanied . . . by either a  
25 stipulation under Civil L.R. 7-12 or by a declaration that explains why a stipulation could not be  
26 obtained.” As explained in the accompanying declaration, counsel for the plaintiffs in the  
27 Multistate Action contacted counsel for both parties in the Thakur Action to ask whether they  
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1 would stipulate that the cases should be related. Hughes Decl. in Support of Admin. Mot. ¶ 5.  
2 Counsel for defendants in the Thakur Action were unwilling to stipulate. *Id.*

3  
4 Dated: March 2, 2026

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