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17 **UNITED STATES DISTRICT COURT**
18 **NORTHERN DISTRICT OF CALIFORNIA**

20 NEETA THAKUR, et al.,

21 Plaintiffs,

22 v.

23 DONALD J. TRUMP, et al.,

24 Defendants.

Case No. 3:25-cv-04737-RL

**RESPONSE IN SUPPORT OF THE
ATTORNEY GENERAL'S
ADMINISTRATIVE MOTION TO
CONSIDER WHETHER CASE
SHOULD BE RELATED**

1 Plaintiffs Neeta Thakur et al. (“Plaintiffs”) respectfully submit this response in support of
2 the Administrative Motion (“Administrative Motion”) filed by the State of California and other
3 state plaintiffs (Dkt. No. 188) requesting that this action be related to *California v. Wright*, No.
4 3:26-cv-01417.

5 Plaintiffs agree that the requirements of Civil Local Rule 3-12 are satisfied and that
6 relation would promote judicial economy and avoid the risk of inconsistent rulings.

7 *First*, the two actions arise from substantially the same events and agency actions,
8 including the Department of Energy’s (“DOE”) “Secretarial Policy,” DOE’s early-October
9 termination of awards affecting multiple states, and specifically DOE’s termination of the Alliance
10 for Renewable Clean Hydrogen Energy Systems (“ARCHES”) cooperative agreement. These
11 overlapping factual issues will require the Court to review common facts, assess the same agency
12 justifications, and resolve many of the same legal questions.

13 *Second*, relation will avoid duplication of labor and expense. Both actions assert
14 overlapping constitutional and Administrative Procedure Act challenges to DOE’s refusal to spend
15 appropriated funds and its across-the-board termination decisions. Having different judges
16 address the same factual and legal issues would risk conflicting outcomes and inefficient,
17 duplicative merits briefing.

18 *Third*, as reflected in the accompanying Declaration of Kristi Hughes (“Hughes Decl.”),
19 Plaintiffs in this action have already indicated that they consent to relation. Hughes Decl. ¶ 4.
20 Plaintiffs submit this filing to reaffirm that position and to assist the Court in resolving the
21 Administrative Motion.

22 For these reasons, Plaintiffs respectfully support the Administrative Motion and agree that
23 these cases should be related under Civil Local Rule 3-12.

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Dated: March 6, 2026

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By: /s/ Laura S. Gilleran
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