

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

AMERICAN CIVIL LIBERTIES UNION OF
MASSACHUSETTS, INC.,

Plaintiff,

v.

U.S. DEPARTMENT OF DEFENSE,

Defendant.

C.A. No. 26-13447-PBS

[PROPOSED] ORDER

Plaintiff American Civil Liberties Union of Massachusetts, Inc. (“ACLUM”) has moved for partial summary judgment concerning three records referred by the United States Marine Corps to the U.S. Department of Defense (“DOD”) for determination and presently in the custody of DOD (the “Referred Records”):

- Memorandum of August 27, 2025: “Identification of Judge Advocate General Officers and Civilian Attorneys for Potential Detail to the Department of Justice;”
- Memorandum of August 27, 2025: “Potential Department of Defense Support for Immigration Adjudication;” and
- Memorandum of Agreement Between the Department of Justice Executive Office for Immigration Review and the Department of War for the Detailing of Temporary Immigration Judges.

It is hereby ORDERED that:

1. ACLUM’s motion for partial summary judgment (D.E. 8) is ALLOWED.
2. DOD is hereby ORDERED and ENJOINED to produce the Referred Records (including all exhibits, attachments, and enclosures) to ACLUM within three (3) business days after this Order, in their entirety, without redaction.

3. The Court hereby DECLARES that the Referred Records (including all exhibits, attachments, and enclosures) are public records pursuant to the Freedom of Information Act (“FOIA”), 5 U.S.C. § 552, and that DOD violated FOIA by failing to produce them to ACLUM prior to this Order.

SO ORDERED.

Date: _____

Hon. Patti B. Saris
United States District Judge