

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

D.A., T.L., I.O., D.S., and K.S.;

*Plaintiffs,*

v.

KRISTI NOEM, Secretary of Homeland Security, in her official capacity; TODD LYONS, Acting Director, U.S. Immigration and Customs Enforcement, in his official capacity; PAMELA BONDI, Attorney General, in her official capacity; and MARCO RUBIO, Secretary of State, in his official capacity

*Defendants.*

Civil Action No. 1:25-cv-03135

**EMERGENCY MOTION TO UNSEAL PRATT DECLARATION**

Plaintiffs respectfully request that the Court unseal the Declaration of Jonathan G. Pratt, Senior Bureau Official for the Bureau of African Affairs at the U.S. Department of State and that it be filed on the docket. The Declaration was supposed to be filed on the public record, *see* Sept. 13 Minute Order (ordering Defendants to “file a declaration”), but was provided via e-mail first solely to the Court and only later to Plaintiffs. Moreover, Defendants’ counsel told Plaintiffs’ counsel that they had provided the Declaration *ex parte* “due to the sensitive nature of the diplomatic relations contained therein.” ECF No. 26-1 (counsel email). Defendants’ counsel then, when ordered to show cause as to why a protective order would not suffice “and how [Defendants’] filing satisfies the stringent requirements for *ex parte* submissions,” reversed course and stated that they would share the Declaration pursuant to a protective order. ECF No.

28. Plaintiffs' counsel agreed to a protective order given the urgent circumstances, and counsel's representation as to the nature of the Declaration.

The Declaration in fact contains no sensitive information, on any reasonable reading. It provides no meaningful information not already available in the public record. There is a "strong presumption in favor of public access to judicial proceedings," *E.E.O.C. v. Nat'l Children's Center, Inc.*, 98 F.3d 1406, 1409 (D.C. Cir. 1996), because "the right of public access is a fundamental element of the rule of law, important to maintaining the integrity and legitimacy of an independent Judicial Branch." *Metlife, Inc. v. Fin. Stability Oversight Council*, 865 F.3d 661, 663 (D.C. Cir. 2017). It "promotes trustworthiness of the judicial process, curbs judicial abuses, and provides the public with a more complete understanding of the judicial system, including a better perception of fairness." *Doe v. Pub. Citizen*, 749 F.3d 246, 266 (4th Cir. 2014).

Defendants have provided no good reason that the Declaration overcomes the strong presumption in favor of public access. Their conclusory assertions as to sensitive diplomatic relations, not borne out by the declaration itself, are not enough. On this matter of significant public importance and great urgency, contemporaneous public access to this information is warranted.

Dated: September 15, 2025

Respectfully submitted,

/s/ Noah Baron.

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