

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

STATE OF RHODE ISLAND *et al.*,

Plaintiffs,

v.

UNITED STATES DEPARTMENT OF THE
INTERIOR *et al.*,

Defendants.

REVOLUTION WIND, LLC,

Plaintiff,

v.

BURGUM *et al.*,

Defendants.

C.A. Nos. 1:25-cv-04328-RCL;
1:25-cv-02999-RCL

Expedited Hearing Requested

STATE PLAINTIFFS' MOTION FOR PRELIMINARY INJUNCTION AND STAY
PENDING REVIEW

Pursuant to Section 705 of the Administrative Procedure Act, Federal Rule of Civil Procedure 65(a), and Local Civil Rule 65.1(c), the States of Rhode Island and Connecticut, along with Katherine Dykes, Commissioner of the Connecticut Department of Energy (“State Plaintiffs”) hereby move this Court for a stay pending review and a preliminary injunction of the Department of the Interior (“Interior”) Bureau of Ocean Energy Management’s (“BOEM”) December 22, 2025 Director’s Order “suspend[ing] all ongoing activities related to the Revolution Wind Project on the Outer Continental Shelf for the next 90 days for reasons of national security” (“the Second Stop Work Order”). *See* Supp. Compl., Ex. B, Dkt. 52.

In so moving, the State Plaintiffs hereby adopt and join Plaintiff Revolution Wind, LLC,'s Motion for Preliminary Injunction and Stay Pending Review, Dkt. 50, in its entirety, except as to the claims related to violation of the United States Constitution, for which State Plaintiffs lack standing.

Pursuant to Local Civil Rule 7(m), counsel for the State Plaintiffs met and conferred with counsel for the Federal Defendants. The Federal Defendants object to the State Plaintiffs' motion for preliminary injunction and intend to ask for additional time to respond. This Court should nevertheless consider the State Plaintiffs' motion and two supporting declarations during the currently scheduled January 12, 2026 hearing because the State Plaintiffs do not raise any new legal arguments beyond those to which the Federal Defendants are already responding. Should the Court agree with the Federal Defendants' request for additional time to respond, the Plaintiff States urge this Court to schedule an additional hearing to consider the Plaintiff States' motion separately, but to allow the hearing scheduled for January 12, 2026 to proceed given the import of expedient relief.

The grounds for this motion are fully set forth in State Plaintiffs' accompanying Statement of Points and Authorities, and Declarations of Christopher Kearns and Katherine S. Dykes, and the Exhibits thereto. A proposed order is also attached. For the reasons set forth in Revolution Wind's supporting documents, the Court should enter an Order granting the preliminary injunction and stay of the Stop Work Order. Additionally, State Plaintiffs respectfully request to join the expedited oral hearing pursuant to Local Civil Rule 65.1(d), currently scheduled on January 12, 2026.

Dated: January 5, 2026

Respectfully submitted,

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**STATEMENT OF POINTS AND AUTHORITIES IN SUPPORT OF STATE PLAINTIFFS’
MOTION FOR PRELIMINARY INJUNCTION AND STAY PENDING REVIEW**

State Plaintiffs hereby adopt Revolution Wind, LLC’s Statement of Points and Authorities in Support of Plaintiffs’ Motion for Preliminary Injunction and Stay Pending Review, Dkt. 50, (“Revolution Wind’s Statement of Points and Authorities”) except for Argument B.1-B.2, or ECF 50, 41–45, which set forth arguments related to deprivation of due process which are inapplicable to the State Plaintiffs.

By way of further explanation, Revolution Wind’s Statement of Points and Authorities sets forth the irreparable harm entitling State Plaintiffs to relief in support of its argument that granting preliminary injunctive relief is in the public interest. ECF 50, 55-59. In addition to the evidentiary material identified by Revolution Wind, LLC, the State Plaintiffs submit the attached Declarations of Christopher Kearns and Katherine S. Dykes in further support of their claims of irreparable harm and to support the public interest

factors. The Declarations of Christopher Kearns and Katherine S. Dykes are attached hereto as Exhibits A and B.

Dated: January 5, 2026

PETER F. NERONHA
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