

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

THE ASSOCIATED PRESS,

Plaintiff,

v.

TAYLOR BUDOWICH, et al.,

Defendants.

Case No. 25-cv-532-TNM

**PLAINTIFF THE ASSOCIATED PRESS'S COMBINED  
MOTION TO ENFORCE PRELIMINARY INJUNCTION  
AND MEMORANDUM OF LAW IN SUPPORT THEREOF**

Plaintiff The Associated Press (“the AP”), by its attorneys, hereby moves the Court to order the relief necessary to ensure Defendants’ immediate compliance with the Court’s April 8, 2025 Memorandum Order granting the AP’s Amended Motion for Preliminary Injunction (the “Injunction Order”) (ECF 46).

After continuing to exclude the AP from the press pool since the injunction took effect on Monday, April 14, the White House last night announced a new “White House Press Pool Policy.” This new policy declares, in clear violation of the Court’s Injunction Order, that “[t]he President retains absolute discretion over access to the Oval Office, Air Force One, and other comparably sensitive spaces.” Moreover, as reflected in the daily pool guidance for today (April 16), even under this new policy, the White House has again excluded the AP from the pool. Specifically, the new policy abolishes the wire service seat that the White House itself established on February 25, replacing it with a second print reporter seat for which wire services are ostensibly eligible – but the AP was immediately skipped over for that second print seat. Moreover, AP photographers are still excluded from the four photo seats, which continue to be

assigned exclusively to AFP, Getty, The New York Times, and Reuters. The AP therefore requests the Court's immediate assistance in enforcing its Injunction Order.

1. On April 8, 2025, this Court entered a preliminary injunction requiring Defendants to "immediately rescind the denial of the AP's access to the Oval Office, Air Force One, and other limited spaces based on the AP's viewpoint when such spaces are made open to other members of the White House press pool," and to "immediately rescind their viewpoint-based denial of the AP's access to events open to all credentialed White House journalists." Injunction Order at 41.

2. The Court correctly concluded, based on a largely uncontested record, that the AP is likely to establish that Defendants unconstitutionally discriminated against it on the basis of its viewpoint, and unconstitutionally retaliated against the AP for its exercise of First Amendment freedoms, by excluding AP journalists from events open to the White House press pool and White House press corps because of the AP's continued use of the name Gulf of Mexico. *Id.* at 29-30, 32, 36. The Court thus ordered Defendants to cease their unconstitutional behavior and "put the AP on an equal playing field as similarly situated outlets." *Id.* at 21, 40.

3. Though the Court recognized that Defendants' actions were causing the AP irreparable harm, *see id.* at 37-38, the Court *sua sponte* ordered a brief stay through April 13, 2025, "to provide the Government time to seek an emergency stay from a higher court and to prepare to implement the Court's injunction," *see* Apr. 8, 2025 Order (ECF 47).

4. Defendants subsequently asked this Court to enter a longer stay, and the Court promptly and firmly rejected that motion, explaining that "the Government has not shown that it is likely to succeed on the merits," and that "the equitable considerations do not favor the Government; the AP will be irreparably harmed without the injunction and that harm would

revive upon staying it, while the Government’s policy goals may never triumph over the Constitution.” *See* Apr. 11, 2025 Mem. Order at 2 (ECF 55) (cleaned up).

5. Defendants also sought a stay pending appeal and an administrative stay from the Court of Appeals, which the AP opposed, and the Court of Appeals responded by promptly setting a hearing on that stay motion and not further staying the Injunction Order. *See* Order, *AP v. Budowich*, No. 25-5109 (D.C. Cir. Apr. 13, 2025) (Doc. 2110733) (per curiam). As Defendants acknowledged in a subsequent letter to the Court of Appeals, the Injunction Order has therefore “now taken effect.” *See* Apr. 14, 2025 Ltr. from Defendants’ Counsel to Clerk of Court, *id.* (Doc. 2110741).

6. Despite this acknowledgment, the Principal Deputy White House Press Secretary informed the AP on April 14, 2025, that AP journalists will continue to be excluded from press pool events because this case is “ongoing.” *See* Declaration of Chris Megerian ¶¶ 2-5. An AP text journalist and an AP photographer were therefore not permitted to attend a press pool event in the Oval Office on April 14. *Id.*<sup>1</sup>

7. When undersigned counsel contacted Defendants’ counsel on April 14 to confer regarding this motion, pursuant to Local Civil Rule 7(m), Defendants’ stated, at around 7:00 pm ET, that “the AP was not excluded today on the basis of the litigation” but rather “because it was not its turn under the policy allowing one wire service access each day.” Counsel added, “[w]e

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<sup>1</sup> At this time, the AP is not moving to enforce the injunction as to claims regarding access to the East Room and other pre-credentialed media events. Although an AP text journalist was excluded from an event on April 14 that was open to the White House press corps, an AP text journalist was allowed into an East Room event open to the press corps yesterday, April 15. AP photographers were allowed into both events. Should Defendants resume their discriminatory, retaliatory access denials of the AP from events open to the White House press corps, however, the AP will seek appropriate relief.

anticipate a new press policy will be announced in the next 24 hours that also conforms to Judge McFadden’s order.” A true and correct copy of the April 14 email is attached as Exhibit A.

8. On April 15, yesterday, the AP was again excluded from the press pool’s wire and photography spots. Undersigned counsel therefore contacted Defendants’ counsel that morning, objecting to the exclusion and explaining that, “today is the fifth business day since the District Court ordered the White House to ‘immediately’ include the AP in the pool. Under a non-discriminatory system, the AP should have been selected for either the wire or photo pool, or both, by today.” Undersigned counsel requested the “White House’s firm commitment by close of business today that the AP will be restored to the pool ‘immediately’ and regularly receive a rotating assignment to daily pool opportunities, as well as pre-credentialed events.” A true and correct copy of the April 15 email is attached as Exhibit B.

9. Instead of providing any such commitment, the White House instead announced a new policy for the press pool. A true and correct copy is attached as Exhibit C.

10. The new policy abandons the longstanding role of wire services, which have been included in the pool since its inception to assure that White House reporting reaches the broadest possible audience in the United States and around the globe as quickly and reliably as possible. This change marks the latest reduction in wire service participation, which the White House continues to use as a pretext for targeting the AP: from three non-rotating wire spots (AP, Bloomberg, and Reuters) before the White House barred the AP on February 11, to two wire spots between February 11 and 25 (Bloomberg and Reuters), to one or two wire spots until April 16 (Bloomberg and/or Reuters), to zero dedicated wire spots now.

11. Now, the pool will instead have two print seats: “One print journalist to serve as ‘print pooler’” and “[o]ne additional print journalist.” *Id.* at 4. The policy provides that “[w]ire-

based outlets will be eligible for selection as part of the Pool’s daily print-journalist rotation.”

*Id.* at 5. The rest of the pool now consists of four photo spots, one radio seat, one “new media/independent journalist” seat, one TV network, and one secondary TV network or streaming service. *Id.* at 4.

12. The policy claims that “[o]utlets will be eligible for participation in the Pool, irrespective of the substantive viewpoint expressed by an outlet,” but – repeating the same gamesmanship over the phrase “eligibility” that this Court has seen before – the policy further asserts that “[a]lthough eligible outlets will generally rotate through these slots, the White House Press Secretary shall retain day-to-day discretion to determine composition of the pool.” *Id.* at 4-5. Moreover, ignoring this Court’s clear instructions, the policy declares that regardless of who may be eligible for the pool, the President “retains *absolute discretion* over access to the Oval Office, Air Force One, and other comparably sensitive spaces.” *Id.* at 5 (emphasis added).

13. The White House’s daily pool guidance for April 16 does not include the AP at all, in either the four photo spots or two print pool spots. Under any non-discriminatory policy, however, the AP would have been selected for participation in the pool at least once since the injunction took effect. A true and correct copy of the April 16 daily pool guidance is attached as Exhibit D.

14. The new policy did not include any list of participating outlets or schedule for their rotation into the pool, further underscoring the lack of *any* indication that the White House has in fact “immediately rescinded” its viewpoint-based exclusion of the AP’s text journalists and photographers. *See* Ex. C.

15. “The power of a federal court to protect and enforce its judgments is unquestioned.” *Marshall v. Loc. Union No. 639*, 593 F.2d 1297, 1302 (D.C. Cir. 1979). Courts

“have the power to enter such orders as may be necessary to enforce and effectuate their lawful orders and judgments, and to prevent them from being thwarted and interfered with by force, guile, or otherwise.” *Sec. Indus. Ass’n v. Bd. of Governors of Fed. Rsrv. Sys.*, 628 F. Supp. 1438, 1441 (D.D.C. 1986) (cleaned up). That remains the case even though Defendants have appealed from the Injunction Order, because “[a] district court retains jurisdiction to enforce the terms of a previously entered injunction.” *Am. Min. Cong. v. Army Corps of Eng’rs*, 120 F. Supp. 2d 23, 27 (D.D.C. 2000) (collecting cases).

16. Given Defendants’ refusal to obey this Court’s Injunction Order on its own terms, the AP respectfully requests that this Court enter such further relief as the Court deems necessary to ensure that Defendants immediately comply with the Injunction Order.

17. Pursuant to Local Civil Rule 7(m), as reflected in Exhibits A to C, counsel for the AP conferred by email with counsel for Defendants in advance of filing this motion. Defendants’ counsel contested the basis for this motion and the need for the relief sought.

Dated: April 16, 2025

Respectfully submitted,

BALLARD SPAHR LLP

/s/ Charles D. Tobin

Charles D. Tobin (#455593)

Jay Ward Brown (#437686)

Maxwell S. Mishkin (#1031356)

Sasha Dudding (#1735532)

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brownjay@ballardspahr.com

mishkinm@ballardspahr.com

duddings@ballardspahr.com

*Counsel for Plaintiff The Associated Press*

# **Exhibit A**

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**From:** Tobin, Charles D.  
**Sent:** Monday, April 14, 2025 8:43 PM  
**To:** Lyons, Jane (USADC); Hudak, Brian (USADC); Freeman, Mark (CIV); Myers, Steven A. (CIV); Salzman, Joshua M. (CIV); Walker, Johnny (USADC); McArthur, Eric (CIV)  
**Cc:** Mishkin, Maxwell S.; Dudding, Sasha  
**Subject:** RE: Associated Press v. Taylor Budowich, et al.

Thanks for your response, Jane. In reliance on the government's representation that the new White House press policy will comply with the District Court's injunction order, we will forbear from filing the motion to enforce for tonight. We look forward to receiving the new policy tomorrow. Thank you.

Best,  
Chuck

**Charles D. Tobin**

**Ballard Spahr**  
LLP

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**From:** Lyons, Jane (USADC) <Jane.Lyons@usdoj.gov>  
**Sent:** Monday, April 14, 2025 6:59 PM  
**To:** Tobin, Charles D. <TobinC@ballardspahr.com>; Hudak, Brian (USADC) <Brian.Hudak@usdoj.gov>; Freeman, Mark (CIV) <Mark.Freeman2@usdoj.gov>; Myers, Steven A. (CIV) <Steven.A.Myers@usdoj.gov>; Salzman, Joshua M. (CIV) <Joshua.M.Salzman@usdoj.gov>; Walker, Johnny (USADC) <Johnny.Walker@usdoj.gov>; McArthur, Eric (CIV) <Eric.McArthur@usdoj.gov>  
**Cc:** Mishkin, Maxwell S. <MishkinM@ballardspahr.com>; Dudding, Sasha <duddings@ballardspahr.com>  
**Subject:** RE: Associated Press v. Taylor Budowich, et al.

**⚠ EXTERNAL**

Hi Chuck,

We respectfully disagree with your characterization of what happened today at the White House. AP was not selected today because it was not its turn under the policy allowing one wire service access each day. Notwithstanding any references to the litigation, the AP was not excluded today on the basis of the litigation. We anticipate a new press policy will be announced in the next 24 hours that also conforms to Judge McFadden's order.

Best,  
Jane

**Jane M. Lyons** | Appellate Counsel (Civil)



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601 D Street, NW, Washington, D.C. 20530  
Ph: (202) 252-2540 | [jane.lyons@usdoj.gov](mailto:jane.lyons@usdoj.gov)

---

**From:** Tobin, Charles D. <TobinC@ballardspahr.com>  
**Sent:** Monday, April 14, 2025 4:54 PM  
**To:** Hudak, Brian (USADC) <Brian.Hudak@usdoj.gov>; Freeman, Mark (CIV) <Mark.Freeman2@usdoj.gov>; Lyons, Jane (USADC) <Jane.Lyons@usdoj.gov>; Myers, Steven A. (CIV) <Steven.A.Myers@usdoj.gov>; Salzman, Joshua M. (CIV) <Joshua.M.Salzman@usdoj.gov>; Walker, Johnny (USADC) <Johnny.Walker@usdoj.gov>; McArthur, Eric (CIV) <Eric.McArthur@usdoj.gov>  
**Cc:** Mishkin, Maxwell S. <MishkinM@ballardspahr.com>; Dudding, Sasha <duddings@ballardspahr.com>  
**Subject:** [EXTERNAL] RE: Associated Press v. Taylor Budowich, et al.

Counsel – The Associated Press was informed today by the White House that, because the litigation is ongoing, it would not include the AP in the rotation for the White House press pool, even though the stay on the District Court's injunction order expired at midnight on Sunday.

In light of this, we plan to file a motion this evening asking the District Court to order the defendants to immediately restore the AP in the press pool rotation.

Please let us know, by 7 p.m. this evening, whether the defendants consent to this relief.

Thank you,  
Chuck Tobin

**Charles D. Tobin**



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**From:** Tobin, Charles D.  
**Sent:** Monday, April 14, 2025 8:25 AM  
**To:** Hudak, Brian (USADC) <Brian.Hudak@usdoj.gov>; mark.freeman2@usdoj.gov; jane.lyons@usdoj.gov; steven.a.myers@usdoj.gov; joshua.m.salzman@usdoj.gov  
**Cc:** Mishkin, Maxwell S. <MishkinM@ballardspahr.com>; Dudding, Sasha <duddings@ballardspahr.com>  
**Subject:** Associated Press v. Taylor Budowich, et al.

Counsel, our office represents The Associated Press in this matter.

As you know, the district court's injunction order, rendered on April 8 in favor of The Associated Press, became operative today, April 14. The injunction order requires the White House to "immediately rescind" the denial of AP's

access to the Oval Office and Air Force One, and to “immediately rescind [your] viewpoint-based denial of the AP’s access to events open to all credentialed White House journalists.”

We expect the White House to restore the AP’s participation in the pool as of today, as provided in the injunction order.

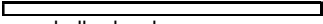
Thank you,  
Chuck Tobin

**Charles D. Tobin**



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# **Exhibit B**

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**From:** Tobin, Charles D.  
**Sent:** Tuesday, April 15, 2025 10:13 AM  
**To:** Lyons, Jane (USADC); Hudak, Brian (USADC); Freeman, Mark (CIV); Myers, Steven A. (CIV); Salzman, Joshua M. (CIV); Walker, Johnny (USADC); McArthur, Eric (CIV)  
**Cc:** Mishkin, Maxwell S.; Dudding, Sasha  
**Subject:** The White House's ongoing failure to include the AP in the press pool, in violation of the Court's injunction order  
**Attachments:** FW: DAILY GUIDANCE AND PRESS SCHEDULE FOR MONDAY, APRIL 14, 2025; FW: DAILY GUIDANCE AND PRESS SCHEDULE FOR TUESDAY, APRIL 15, 2025

Counsel, attached are the White House Daily Guidance and Press Schedules for yesterday, April 14, and today, April 15.

Despite the District Court's April 8 injunction order that required the White House to "immediately rescind" the denial of the Associated Press's access to the press pool, and the Court's denial on April 11 of the government's stay motion, the AP has not been selected for either the wire service or photo slots in the pool in the past five business days. In fact, as to photos, the White House has included the same four members of that pool both yesterday and today, excluding only the AP.

Again, today is the fifth business day since the District Court ordered the White House to "immediately" include the AP in the pool. Under a non-discriminatory system, the AP should have been selected for either the wire or photo pool, or both, by today.

Its continued failure to include the AP strongly indicates that the White House, as an official there told the AP yesterday, continues to be excluded because of the litigation the AP brought, and because the AP will not accede to the President's demands that it change *The AP Stylebook* to reflect his executive order's re-designation of the "Gulf of America."

We are waiting for the White House's firm commitment by close of business today that the AP will be restored to the pool "immediately" and regularly receive a rotating assignment to daily pool opportunities, as well as pre-credentialed events. If none is forthcoming, we will ask the District Court to enforce the injunction order.

Thank you,  
Chuck Tobin

**Charles D. Tobin**

**Ballard Spahr**  
LLP

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**Dudding, Sasha**

---

**From:** Tobin, Charles D.  
**Sent:** Tuesday, April 15, 2025 9:10 AM  
**To:** Tobin, Charles D.  
**Subject:** FW: DAILY GUIDANCE AND PRESS SCHEDULE FOR MONDAY, APRIL 14, 2025



**THE WHITE HOUSE**  
WASHINGTON

**FOR IMMEDIATE RELEASE**

04/13/25

**DAILY GUIDANCE AND PRESS SCHEDULE  
FOR MONDAY, APRIL 14, 2025**

**In-Town Pool**

Wire: Reuters

Photos: AFP, NYT, Reuters, Getty

TV Corr & Crew: CNN

Secondary TV Corr & Crew: Telemundo

Print: Washington Examiner

Radio: CBS Radio

**EDT**

**9:00 AM In-Town Pool Call Time**

**11:00 AM THE PRESIDENT greets the President of the Republic of El Salvador**

*Stakeout Location*

*Open Press*

**11:05 AM THE PRESIDENT participates in a Bilateral Meeting with the President of the Republic of El Salvador**

*Oval Office*

*White House Press Pool*

**11:35 AM THE PRESIDENT participates in a Bilateral Lunch with the President of the Republic of El Salvador**

*Cabinet Room*

*Closed Press*

**3:00 PM THE PRESIDENT participates in a visit with the 2025 College Football National Champions - The Ohio State University**

*South Lawn*

*Pre-Credentialed Media*

*Media Sign-Up Link [Here](#)*

*(Link closes Monday, April 14 at 8:00 AM)*

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**Dudding, Sasha**

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**From:** Tobin, Charles D.  
**Sent:** Tuesday, April 15, 2025 9:09 AM  
**To:** Tobin, Charles D.  
**Subject:** FW: DAILY GUIDANCE AND PRESS SCHEDULE FOR TUESDAY, APRIL 15, 2025



**THE WHITE HOUSE**  
WASHINGTON

**FOR IMMEDIATE RELEASE**

04/14/25

**DAILY GUIDANCE AND PRESS SCHEDULE  
FOR TUESDAY, APRIL 15, 2025**

**In-Town Pool**

Wire: Bloomberg

Photos: AFP, NYT, Reuters, Getty

TV Corr & Crew: FOX

Secondary TV Corr & Crew: Sinclair

Print: Washington Post

New Media: Spectrum News

Radio: FOX Radio

**EDT**

**9:00 AM**

**In-Town Pool Call Time**

**12:30 PM THE PRESIDENT and the Vice President have lunch**

*Private Dining Room*

*Closed Press*

**2:30 PM THE PRESIDENT signs Executive Orders**

*Oval Office*

*Closed Press*

**3:30 PM THE PRESIDENT participates in a Commander-in-Chief Trophy  
Presentation to the Navy Midshipmen - the United States Naval Academy**

*East Room*

*Pre-Credentialed Media*

*Media Sign-Up Link [Here](#)*

*Media Link closes Tuesday at 10:00 AM*

**Briefing Schedule**

**1:00 PM Press Briefing by the White House Press Secretary Karoline Leavitt**

*James S. Brady Press Briefing Room*

*On Camera*

To ensure uninterrupted delivery of these emails, please add [press@mail.whitehouse.gov](mailto:press@mail.whitehouse.gov) to your Address Book and/or Safe Sender list.

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# **Exhibit C**

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**From:** Lyons, Jane (USADC) <Jane.Lyons@usdoj.gov>  
**Sent:** Tuesday, April 15, 2025 5:14 PM  
**To:** Tobin, Charles D.; Hudak, Brian (USADC); Freeman, Mark (CIV); Myers, Steven A. (CIV); Salzman, Joshua M. (CIV); Walker, Johnny (USADC); McArthur, Eric (CIV)  
**Cc:** Mishkin, Maxwell S.; Dudding, Sasha  
**Subject:** RE: The White House's ongoing failure to include the AP in the press pool, in violation of the Court's injunction order

**⚠ EXTERNAL**

Hi Chuck,

I just want to acknowledge that we have received your email. We've confirmed that an updated pool policy should be issuing this evening. If we learn of any last-minute delays, we'll let you know.

Have a nice evening.

Best,  
Jane

**Jane M. Lyons** | Appellate Counsel (Civil)  
Civil Division, U.S. Attorney's Office  
601 D Street, NW, Washington, D.C. 20530  
Ph: (202) 252-2540 | [jane.lyons@usdoj.gov](mailto:jane.lyons@usdoj.gov)

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**From:** Tobin, Charles D. <TobinC@ballardspahr.com>  
**Sent:** Tuesday, April 15, 2025 10:13 AM  
**To:** Lyons, Jane (USADC) <Jane.Lyons@usdoj.gov>; Hudak, Brian (USADC) <Brian.Hudak@usdoj.gov>; Freeman, Mark (CIV) <Mark.Freeman2@usdoj.gov>; Myers, Steven A. (CIV) <Steven.A.Myers@usdoj.gov>; Salzman, Joshua M. (CIV) <Joshua.M.Salzman@usdoj.gov>; Walker, Johnny (USADC) <Johnny.Walker@usdoj.gov>; McArthur, Eric (CIV) <Eric.McArthur@usdoj.gov>  
**Cc:** Mishkin, Maxwell S. <MishkinM@ballardspahr.com>; Dudding, Sasha <duddings@ballardspahr.com>  
**Subject:** [EXTERNAL] The White House's ongoing failure to include the AP in the press pool, in violation of the Court's injunction order

Counsel, attached are the White House Daily Guidance and Press Schedules for yesterday, April 14, and today, April 15.

Despite the District Court's April 8 injunction order that required the White House to "immediately rescind" the denial of the Associated Press's access to the press pool, and the Court's denial on April 11 of the government's stay motion, the AP has not been selected for either the wire service or photo slots in the pool in the past five business days. In fact, as to photos, the White House has included the same four members of that pool both yesterday and today, excluding only the AP.

Again, today is the fifth business day since the District Court ordered the White House to "immediately" include the AP in the pool. Under a non-discriminatory system, the AP should have been selected for either the wire or photo pool, or both, by today.

Its continued failure to include the AP strongly indicates that the White House, as an official there told the AP yesterday, continues to be excluded because of the litigation the AP brought, and because the AP will not accede to the President's demands that it change *The AP Stylebook* to reflect his executive order's re-designation of the "Gulf of America."

We are waiting for the White House's firm commitment by close of business today that the AP will be restored to the pool "immediately" and regularly receive a rotating assignment to daily pool opportunities, as well as pre-credentialed events. If none is forthcoming, we will ask the District Court to enforce the injunction order.

Thank you,  
Chuck Tobin

**Charles D. Tobin**



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THE WHITE HOUSE  
WASHINGTON

FROM: THE WHITE HOUSE COMMUNICATIONS OFFICE  
SUBJECT: PRESS POOL POLICY  
DATE: April 15, 2025

WHITE HOUSE PRESS POOL POLICY

Hundreds of journalists show up each day to report from the White House. And there are thousands of journalists across the country who seek special access to cover the President in the Oval Office, aboard Air Force One, and in other sensitive locations.

The President, at his discretion, affords special media access to a small group of reporters each day. This group of reporters is known as the White House Press Pool. As previously announced by the White House Press Secretary, the group of reporters in the White House Press Pool is chosen by the White House Press Secretary. This memorandum outlines the criteria to select the White House Press Pool.

PRESS POOL SELECTION

The White House Press Pool will consist of the following:

- One print journalist to serve as ‘print pooler’
- One additional print journalist
- A television network head-on crew (ABC, CBS, CNN, FOX, NBC)
- A secondary television network or streaming service
- One radio journalist
- One new media/independent journalist
- Four photo-journalists

The White House Communications Office will use the following criteria when selecting members of the daily Pool:

- Eligible outlets will be chosen for the White House Press Pool on a rotating basis.
- Although eligible outlets will generally rotate through these slots, the White House Press Secretary shall retain day-to-day discretion to determine

composition of the pool. This is necessary to ensure that the President's message reaches targeted audiences and that outlets with applicable subject-matter expertise are present as events warrant.

- The White House Press Secretary reserves the right to add additional journalists to an expanded Pool based on capacity and day-to-day needs.
- Wire-based outlets will be eligible for selection as part of the Pool's daily print-journalist rotation.
- Outlets will be eligible for participation in the Pool, irrespective of the substantive viewpoint expressed by an outlet.

#### APPLICABILITY

The policy outlined in this memorandum is effective immediately. This policy is subject to amendment or modification at any time, including if the injunction is stayed, modified, or reversed in *Associated Press v. Budowich*, No. 1-25-cv-532 (D.D.C.). The President retains absolute discretion over access to the Oval Office, Air Force One, and other comparably sensitive spaces.

# **Exhibit D**



< [WHITE HOUSE POOL](#)

# DAILY GUIDANCE AND PRESS SCHEDULE FOR WEDNESDAY, APRIL 16, 2025



**White House Pool**

POSTED AUTOMATICALLY

4/15/2025 · 10:21:21 PM EDT

FOR IMMEDIATE RELEASE

04/15/25

DAILY GUIDANCE AND PRESS SCHEDULE

FOR WEDNESDAY, APRIL 16, 2025

In-Town Pool

TV Corr & Crew: NBC

Photos: AFP, NYT, Reuters, Getty

Print: Washington Times

Radio: iHeartMedia

Secondary TV Corr & Crew: EWTN

Secondary Print: The Daily Signal

New Media: Christian Broadcasting Network

EDT

9:00 AM In-Town Pool Call Time

11:30 AM THE PRESIDENT receives his Intelligence Briefing

Oval Office

Closed Press

6:30 PM THE PRESIDENT participates in an Easter Prayer Service and Dinner

Blue Room

White House Press Pool



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

THE ASSOCIATED PRESS,

Plaintiff,

v.

TAYLOR BUDOWICH, et al.,

Defendants.

Case No. 25-cv-532-TNM

**DECLARATION OF CHRIS MEGERIAN**

Chris Megerian, pursuant to 28 U.S.C. § 1746, declares as follows:

I submit this declaration in support of the Motion to Enforce Preliminary Injunction filed by Plaintiff The Associated Press (“the AP”) in the above-captioned matter. I have personal knowledge of the facts set forth herein and would be competent to testify to them.

1. I am a White House reporter for the AP. Before joining the AP, I worked at the *Los Angeles Times* in Washington and California and *The Star-Ledger* in New Jersey.

2. On April 14, 2025, I spoke in the White House with Harrison Fields, who serves as Special Assistant to the President and Principal Deputy Press Secretary.


3. In light of the order entered in this case, I asked Mr. Fields if an AP photographer and I could join the pool for an event that was about to start in the Oval Office. Mr. Fields refused and said the White House had established a rotation.

4. I asked Mr. Fields how the AP would be included in the text wire service rotation and whether the photographer could enter the Oval Office as part of what is currently the non-rotating group of pool photographers.

5. Mr. Fields told me that because this is an ongoing legal matter, there will be no changes made to the pool at this point. I reminded Mr. Fields that the court order in this case is not stayed, and Mr. Fields responded again that it is an ongoing legal matter.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on 4/14/2025

Signed by:  
  
8CAFEE3CEA0A476...  
Chris Megerian

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

THE ASSOCIATED PRESS,

Plaintiff,

v.

TAYLOR BUDOWICH, et al.,

Defendants.

Case No. 25-cv-532-TNM

**[PROPOSED] ORDER GRANTING PLAINTIFF'S  
MOTION TO ENFORCE PRELIMINARY INJUNCTION**

This matter came before the Court on the motion of Plaintiff The Associated Press to enforce the preliminary injunction entered in this matter on April 8, 2025. Having reviewed the papers filed in support of the motion, any response(s) thereto, and being fully advised, the Court hereby GRANTS Plaintiff's motion and orders that Defendants shall, by 5:00 p.m. ET on April 16, 2025, file a status report to inform the Court on the actions they have taken to comply with the preliminary injunction.

**SO ORDERED** this \_\_\_\_ day of \_\_\_\_\_, 2025

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UNITED STATES DISTRICT JUDGE