

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF RHODE ISLAND**

STATE OF NEW YORK, et al.,

*Plaintiffs,*

v.

No. 1:25-cv-00499-MRD-AEM

UNITED STATES DEPARTMENT OF  
JUSTICE, et. al.

*Defendants.*

**JOINT MOTION TO DISMISS THE COMPLAINT WITHOUT PREJUDICE**  
**SUBJECT TO THE TERMS OF THE PARTIES' STIPULATION**

Pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii), Defendants United States Department of Justice; Pamela J. Bondi, in her official capacity as Attorney General of the United States; Office of Justice Programs; Maureen Henneberg, in her official capacity as Deputy Assistant Attorney General for the Office of Justice Programs; Office for Victims Of Crime; Katherine Darke Schmitt, in her official capacity as Acting Director of the Office for Victims of Crime; Bureau of Justice Assistance; Tammie Gregg, in her official capacity as Acting Director of the Bureau of Justice Assistance; Office on Violence Against Women; and Ginger Baran Lyons, in her official capacity as Deputy Director for Grants Development and Management of the Office on Violence Against Women (“Defendants”), and Plaintiffs State of New York; State of Colorado; State of Illinois; State of Rhode Island; State of Arizona; State of California; District of Columbia; State of Connecticut; State of Delaware; State of Maine; State of Maryland; Commonwealth of Massachusetts; State of Michigan; State of Minnesota; State of Nevada; State of New Jersey; State of New Mexico; State of Oregon; State of Vermont; and State of Washington (“Plaintiffs”)

(collectively, the “Parties”)<sup>1</sup> move the Court to dismiss Plaintiffs’ Complaint without prejudice subject to the terms of the below stipulation.

WHEREAS, Plaintiffs filed the Complaint and Motion for Preliminary Injunction in this action on October 1, 2025 (ECF Nos. 1, 3);

WHEREAS, Plaintiffs’ Complaint alleges that Defendants’ adoption of a provision restricting the use of Department of Justice grant funds to provide legal services for certain immigrants as recited in the DOJ Grants Financial Guide (the “Legal Services Provision”) is contrary to law, arbitrary and capricious, and unconstitutional;

WHEREAS, the Legal Services Provision provides that:

[C]osts of providing legal services (that is, professional services of the kind lawfully provided only by individuals licensed to practice law) to any removable alien (*see* 8 U.S.C. § 1229a(e)(2)) or any alien otherwise unlawfully present in the United States are disallowed and may not be charged against the award.

Grants Guide, Ch. 3.13;

WHEREAS, the Legal Services Provision further specifies that “[c]osts for legal services disallowed under the preceding sentence do not include costs for legal services”:

(1) to obtain protection orders for victims of crime (including associated or related orders (e.g., custody orders), arising from the victimization); (2) that are associated with or relate to actions under 18 U.S.C. ch. 77 (peonage, slavery, and trafficking in persons); (3) to obtain T-visas, U-visas, or “continued presence” immigration status (*see*, e.g., 8 U.S.C. § 1101(a)(15)(T) & (U); 22 U.S.C. § 7105(c)(3)(A)); or (4) as to which such disallowance would contravene any express requirement of any law, or of any judicial ruling, governing or applicable to the award.

*Id.* (the “Unallowable Costs” provision);

---

<sup>1</sup> As shared with the Court and Defendants, Plaintiff State of Wisconsin is not a party to this stipulation and dismissal, as its state laws require approval from a state legislative committee before it can join the stipulation and dismiss its claims. *See* Wis. Stat. s. 165.08(1). Plaintiff State of Wisconsin will seek that approval forthwith.

WHEREAS, regulations currently in effect and applicable to the Victims of Crime Act (“VOCA”) Victim Assistance grants and grants made under the Violence Against Women Act (“VAWA”) provide that: “[v]ictim eligibility under this program for direct services is not dependent on the victim’s immigration status.” 28 C.F.R. §§ 94.103(a), 94.116 (VOCA Victim Assistance); *id.* § 90.4(c) (VAWA);

WHEREAS, in opposition to Plaintiffs’ Motion for Preliminary Injunction, Defendants asserted, among other things, that the Legal Services Provision “does not apply to VOCA’s Victim Assistance Program or VAWA Programs,” *see* ECF No. 28-1, at 22; *see also id.* at 8, because, due to the regulations currently in effect and applicable to those grant programs, *see* 28 C.F.R. §§ 94.103(a), 94.116 (VOCA Victim Assistance); *id.* § 90.4(c) (VAWA), disallowing costs incurred under those programs pursuant to the challenged provision “would contravene an[] express requirement of . . . law,” Grants Guide, Ch. 3.13—namely, the requirement in the regulations that eligibility not be dependent on immigration status;

WHEREAS, Plaintiffs have agreed to dismiss the Complaint without prejudice subject to Defendants’ stipulation to their statements interpreting the Legal Services Provision as applied to VOCA Victim Assistance and VAWA grants;

THEREFORE, the Parties do HEREBY STIPULATE AND AGREE as follows:

1. With respect to Plaintiff States’ current open grant awards under the VOCA Victim Assistance and VAWA grant programs, Defendants agree that the Legal Services Provision does not apply to those grant awards;
2. Plaintiff States reserve all rights with respect to any arguments, defenses, or actions regarding any grants or programs containing an “Unallowable Costs” provision;

3. On the basis of Defendants' representations in this stipulation, the Parties agree that the Complaint shall be dismissed without prejudice; and

4. All parties will bear their own fees and costs.

Accordingly, the Parties respectfully request that the Court dismiss the Complaint without prejudice subject to terms of the above stipulation.

Dated: November 24, 2025

Respectfully submitted,

*Counsel for Defendants*

By: /s/ Elisabeth J. Neylan  
Brett A Shumate  
*Assistant Attorney General, Civil Division*  
Yaakov M. Roth  
*Principal Deputy Assistant Attorney General*  
Andrew I. Warden  
*Assistant Branch Director*  
Elisabeth J. Neylan  
N.Y. Bar Reg. No.: 6125736  
*Trial Attorney*  
U.S. Department of Justice  
Civil Division, Federal Programs Branch  
1100 L Street, NW  
Washington, DC 20530  
(202) 616-3519  
[Elisabeth.J.Neylan@usdoj.gov](mailto:Elisabeth.J.Neylan@usdoj.gov)

*Attorneys for Plaintiffs*

**LETITIA JAMES**  
Attorney General for the State of New York

By: /s/ Natasha M. Korgaonkar  
Rabia Muqaddam  
*Chief Counsel for Federal Initiatives*  
Natasha M. Korgaonkar  
*Special Counsel*  
Zoe Levine  
*Special Counsel*  
Benjamin Liebowitz  
*Assistant Attorney General*

**PHILIP J. WEISER**  
Attorney General for the State of Colorado

By: /s/ David Moskowitz  
David Moskowitz  
*Deputy Solicitor General*  
Nora Passamaneck  
Finnuala K. Tessier  
*Senior Assistant Attorneys General*  
Colorado Department of Law  
1300 Broadway, #10  
Denver, CO 80203

28 Liberty St. New York, NY 10005  
212-416-6557  
[Natasha.Korgaonkar@ag.ny.gov](mailto:Natasha.Korgaonkar@ag.ny.gov)

*Attorneys for the State of New York*

(720) 508-6000  
[david.moskowitz@coag.gov](mailto:david.moskowitz@coag.gov)

*Attorneys for the State of Colorado*

**KWAME RAOUL**  
Attorney General of Illinois

By: /s/ Michael M. Tresnowski  
Alex Hemmer  
*Deputy Solicitor General*  
Christopher G. Wells  
*Chief of the Public Interest Division*  
Vikas Didwania  
*Complex Litigation Counsel*  
Michael M. Tresnowski  
R. Henry Weaver  
*Assistant Attorneys General*  
Office of the Illinois Attorney General  
115 LaSalle Street  
Chicago, IL 60603  
(773) 758-4496  
[Michael.Tresnowski@ilag.gov](mailto:Michael.Tresnowski@ilag.gov)

*Attorneys for the State of Illinois*

**PETER F. NERONHA**  
Attorney General of Rhode Island

By: /s/ Kathryn Sabatini  
Kathryn M. Sabatini (RI No. 8486)  
*Chief, Civil Division*  
*Special Assistant Attorney General*  
Paul T.J. Meosky (RI No. 10742)  
*Special Assistant Attorney General*  
150 South Main Street  
Providence, RI 02903  
(401) 274-4400  
[KSabatini@riag.ri.gov](mailto:KSabatini@riag.ri.gov)  
[PMeosky@riag.ri.gov](mailto:PMeosky@riag.ri.gov)

*Attorneys for the State of Rhode Island*

**KRISTIN K. MAYES**  
Attorney General of Arizona

By: /s/ Joshua G. Nomkin  
Joshua G. Nomkin  
Office of the Attorney General  
2005 North Central Avenue  
Phoenix, Arizona 85004  
(602) 542-3333  
[Joshua.Nomkin@azag.gov](mailto:Joshua.Nomkin@azag.gov)

*Attorney for the State of Arizona*

**ROB BONTA**  
Attorney General for the State of California

Michael L. Newman  
*Senior Assistant Attorney General*  
Joel Marrero  
*Supervising Deputy Attorney General*  
Jesse Basbaum  
Brian Bilford  
Luke Freedman  
Lee I. Sherman  
*Deputy Attorneys General*

By: /s/ Christopher P. Tenorio  
Christopher P. Tenorio  
*Deputy Attorney General*

California Department of Justice  
600 W. Broadway, Suite 1800  
San Diego, CA 92101 (619) 738-9000  
[Christopher.Tenorio@doj.ca.gov](mailto:Christopher.Tenorio@doj.ca.gov)

*Attorneys for the State of California*

**BRIAN L. SCHWALB**

Attorney General for the District of Columbia

By: /s/ Mitchell P. Reich

Mitchell P. Reich

*Senior Counsel to the Attorney General*

Office of the Attorney General for the District  
of Columbia

400 Sixth Street, NW

Washington, D.C. 20001

(202) 279-1261

[mitchell.reich@dc.gov](mailto:mitchell.reich@dc.gov)

*Attorney for the District of Columbia*

**WILLIAM TONG**

Attorney General of Connecticut

By: /s/ Ashley Meskill

Ashley Meskill

*Assistant Attorney General*

Connecticut Office of the Attorney General

165 Capitol Avenue

Hartford, CT 06106

(860) 808-5270

[ashley.meskill@ct.gov](mailto:ashley.meskill@ct.gov)

*Attorney for the State of Connecticut*

**KATHLEEN JENNINGS**

Attorney General of the State of Delaware

By: /s/ Ian R. Liston

Ian R. Liston

*Director of Impact Litigation*

Vanessa L. Kassab

*Deputy Attorney General*

Rose Gibson

*Assistant Attorney General*

Delaware Department of Justice

820 N. French Street

Wilmington, DE 19801

(302) 683-8899

[Ian.Liston@delaware.gov](mailto:Ian.Liston@delaware.gov)

*Attorneys for the State of Delaware*

**AARON M. FREY**

Attorney General for the State of Maine

By: /s/ Stanley Abraham

Stanley Abraham

*Assistant Attorney General*

Office of the Attorney General

6 State House Station

Augusta, ME 04333-0006

Tel.: 207-626-8800

Fax: 207-287-3145

[Stanley.Abraham@maine.gov](mailto:Stanley.Abraham@maine.gov)

*Attorney for the State of Maine*

**ANTHONY G. BROWN**

Attorney General for the State of Maryland

By: /s/ Virginia A. Williamson

Virginia A. Williamson  
Assistant Attorney General  
Office of the Attorney General  
200 Saint Paul Place, 20th Floor  
Baltimore, Maryland 21202  
410-576-6584  
[VWilliamson@oag.state.md.us](mailto:VWilliamson@oag.state.md.us)

*Attorney for the State of Maryland***DANA NESSEL**

Attorney General of Michigan

By: /s/ Neil Giovanatti

Neil Giovanatti  
John Pallas  
Assistant Attorneys General  
Michigan Department of Attorney General  
525 W. Ottawa  
Lansing, MI 48909  
(517) 335-7603  
[GiovanattiN@michigan.gov](mailto:GiovanattiN@michigan.gov)  
[PallasJ@michigan.gov](mailto:PallasJ@michigan.gov)

*Attorneys for the State of Michigan***AARON D. FORD**

Attorney General for the State of Nevada

By: /s/ Heidi Parry Stern

Heidi Parry Stern  
Solicitor General  
Office of the Nevada Attorney General  
1 State of Nevada Way, Ste. 100  
Las Vegas, NV 89119  
[HStern@ag.nv.gov](mailto:HStern@ag.nv.gov)

**ANDREA JOY CAMPBELL**Attorney General for the Commonwealth of  
MassachusettsBy: /s/ Michelle R. Pascucci

Katherine B. Dirks  
Chief State Trial Counsel  
Michelle Rita Pascucci  
State Trial Counsel  
1 Ashburton Place  
Boston, Massachusetts 02108  
(617) 963-2255  
[Katherine.Dirks@mass.gov](mailto:Katherine.Dirks@mass.gov)  
[Michelle.Pascucci@mass.gov](mailto:Michelle.Pascucci@mass.gov)

*Attorneys for the Commonwealth of  
Massachusetts***KEITH ELLISON**

Attorney General for the State of Minnesota

By: /s/ Joseph R. Richie

Joseph R. Richie  
Special Counsel  
445 Minnesota Street, Suite 1400  
St. Paul, Minnesota, 55101  
(651) 300-0921  
[joseph.richie@ag.state.mn.us](mailto:joseph.richie@ag.state.mn.us)

*Attorney for the State of Minnesota***MATTHEW J. PLATKIN**

Attorney General of New Jersey

By: /s/ Meghan Musso

Meghan Musso  
Amanda McElfresh  
Deputy Attorneys General  
Office of the Attorney General  
25 Market Street  
Trenton, NJ 08625

*Attorney for the State of Nevada*

**RAÚL TORREZ**

Attorney General for the State of New Mexico

By: /s/ Mark Noferi

Mark Noferi  
*Senior Litigation Counsel*  
NM Department of Justice  
408 Galisteo Street  
Santa Fe, New Mexico 87501  
(505) 490-4060  
[MNoferi@nmdoj.gov](mailto:MNoferi@nmdoj.gov)

*Attorney for the State of New Mexico*

**CHARITY R. CLARK**

Attorney General for the State of Vermont

By: /s/ Jonathan T. Rose

Jonathan T. Rose  
*Solicitor General*  
109 State Street  
Montpelier, VT 05609  
(802) 828-3171  
[jonathan.rose@vermont.gov](mailto:jonathan.rose@vermont.gov)

*Attorney for the State of Vermont*

(609) 696-5276

[meghan.musso@law.njoag.gov](mailto:meghan.musso@law.njoag.gov)

*Counsel for the State of New Jersey*

**DAN RAYFIELD**

Attorney General of Oregon

By: /s/ Scott P. Kennedy

Scott P. Kennedy  
*Senior Assistant Attorney General*  
Oregon Department of Justice  
100 SW Market Street  
Portland, OR 97201  
Tel (971) 453-9050  
Fax (971) 673-5000  
[Scott.Kennedy@doj.oregon.gov](mailto:Scott.Kennedy@doj.oregon.gov)

*Attorney for Plaintiff State of Oregon*

**NICHOLAS W. BROWN**

Attorney General of Washington

By: /s/ Benjamin Seel

Benjamin Seel  
*Assistant Attorney General*  
Marsha Chien  
Cristina Sepe  
*Deputy Solicitors General*  
Washington State Office  
of the Attorney General  
800 Fifth Avenue, Suite 2000  
Seattle, WA 98104-3188  
(206) 464-7744  
[Benjamin.Seel@atg.wa.gov](mailto:Benjamin.Seel@atg.wa.gov)

*Attorneys for the State of Washington*