

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

STATE OF NEW YORK, *et al.*,

Plaintiffs,

v.

DONALD J. TRUMP, IN HIS OFFICIAL
CAPACITY AS PRESIDENT OF THE UNITED
STATES, *et al.*,

Defendants.

C.A. No. 25-CV-1144

AFFIRMATION OF COLLEEN K. FAHERTY

COLLEEN K. FAHERTY, an attorney duly admitted to practice before the Courts of this State, does hereby state the following under penalty of perjury pursuant to 28 U.S.C. § 1746:

1. I am Colleen K. Faherty, Special Trial Counsel in the Office of the Attorney General for the State of New York, who appears on behalf of the State of New York in this action.

2. I submit this declaration in support of Plaintiffs States' Motion for a Temporary Restraining Order pursuant to Federal Rule of Civil Procedure 65. The facts set forth herein are based upon my personal knowledge and/or a review of the files in my possession.

3. Plaintiffs the State of New York, Arizona, California, Colorado, Connecticut, Delaware, Hawaii, Illinois, Maine, Maryland, Massachusetts, Minnesota, Nevada, New Jersey, North Carolina, Oregon, Rhode Island, Vermont, and Wisconsin (collectively "States") seek temporary

relief here in order to preserve the status quo until the Court can conduct a hearing on Plaintiff's soon-to-be-filed preliminary injunction motion.

4. As of February 2, 2025, Donald J. Trump, in his official capacity as President of the United States, the United States Department of the Treasury, and Scott Bessent, in his official capacity as Secretary of the U.S. Department of the Treasury ("Defendants"), have directed Treasury to grant expanded access to sensitive payment systems to political appointees and "special government employees" affiliated with the Department of Government Efficiency (DOGE) for reasons that have yet to be provided, although one apparent purpose, upon information and belief, is to allow the DOGE to advance a stated goal to block federal funds from reaching beneficiaries who do not align with the President's political agenda.

5. The States are concerned about the numerous injuries as described in the "Plaintiffs' Motion for a Temporary Restraining Order pursuant to Federal Rule of Civil Procedure 65" that will occur, absent temporary relief from the requested TRO.

6. On February 7, at 7:32 p.m. ET, I provided via e-mail to (1) Rebecca Tinio, Chief of the Civil Division from the U.S. Attorney's Office for the Southern District of New York; and (2) Bradley Humphrees, Senior Trial Counsel for the U.S. Department of Justice notice of the States concerns about Defendants' harmful conduct and the States intent to seek immediate temporary relief.

Dated: New York, New York
February 7, 2025

/s/ Colleen K. Faherty
Colleen K. Faherty
Special Trial Counsel