

# EXHIBIT A

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

**STATE OF NEW MEXICO, et al.,**

Plaintiffs,

v.

**ELON MUSK, et al.,**

Defendants.

Civil Action No. 1:25-cv-00429 (TSC)

**PLAINTIFF STATES' FIRST SET OF WRITTEN DISCOVERY**

Pursuant to Federal Rules of Civil Procedure 26, 33, 34, and 36, Plaintiff States serve this First Set of Written Discovery to Defendants.

**DEFINITIONS**

In general, words and phrases used in these discovery requests have the meanings ascribed to them under the Federal Rules of Civil Procedure, the Local Rules of the United States District Court for the District of Columbia, and other applicable law. The following specific terms are defined for purposes of these discovery requests:

1. “Document” is defined pursuant to Federal Rule of Civil Procedure 34 and includes, without limitation, written material of whatever kind or nature, whether in draft form, typed, printed, handwritten, or otherwise produced, including the original or any non-identical copies of correspondence, meeting minutes, resolutions, directives, memos, and any other written, printed, or recorded material of any kind known to you or in the possession, custody, or control of you or anyone acting on your behalf. *However*, please note that for purposes of this Discovery request only, while the term “document” includes electronically stored information, it does not include emails, text messages, or any other similar electronically exchanged communication, *except* that documents should not be excluded from your response merely because they may be otherwise attached to such communications.

2. “Describe,” when used with respect to an interrogatory, means to give a complete and full accounting concerning the matter about which inquiry is made, based on all facts and information known or reasonably available to you.

3. “And” and “or” have both conjunctive and disjunctive meanings; “all” and “any” means both “each” and “every”; the plural shall include the singular and vice versa.

4. “Musk” means Defendant Elon Musk, in his official capacity as an employee and/or volunteer for the United States government.

5. “DOGE” means Defendant the United States Department of Government Efficiency Service established by Executive Order 14158, “Establishing and Implementing the President’s ‘Department of Government Efficiency,’” on January 20, 2025. “DOGE” includes the “DOGE Temporary Organization.”

6. “DOGE Temporary Organization” means Defendant the United States Department of Government Efficiency Service Temporary Organization established by Executive Order 14158, “Establishing and Implementing the President’s ‘Department of Government Efficiency,’” on January 20, 2025.

7. “DOGE Team” is defined pursuant to section 3(c) of Executive Order 14158, “Establishing and Implementing the President’s ‘Department of Government Efficiency,’” dated January 20, 2025.

8. “DOGE personnel” means all persons acting on behalf of, as a part of, or pursuant to the authority of DOGE, DOGE Temporary Organizations, or DOGE Teams. This includes but is not limited to federal employees, special government employees, contractors, consultants, and volunteers.

9. “Direct” or “directed” means instances in which an employee, officer, or volunteer instructed, ordered, or otherwise took action to compel a particular course of action by another.

10. “Database” means an organized collection of electronic information that can be searched, retrieved, changed, and sorted using software.

11. “Database management system” means one or more software packages that provide the functions required to organize and/or manipulate the contents of a database.

12. “Identify,” when used with respect to an interrogatory, means to state all facts and information known or reasonably available to you.

13. “Include” and “Including” do not imply any limitation to the items or kinds of items enumerated.

14. Unless words have been given a specific definition herein, each word or term used herein shall be given its usual and/or customary dictionary definition, except where such words have a specific custom and/or usage definition in your trade or industry or as relevant to the subject matter here, in which case they shall be interpreted in accordance with such usual custom and/or usage definition of which you are aware.

## INSTRUCTIONS

1. In answering these discovery requests, you shall comply with the Federal Rules of Civil Procedure, including, without limitation, Fed. R. Civ. P. 33, 34, and 36, and the Local Rules of the United States District Court for the District of Columbia.

2. These discovery requests are intended to elicit facts, information, and documents from all persons or entities, agents, attorneys, contractors, employees, experts, insurers, investigators, representatives, servants, and others who are in possession of or may have obtained documents and other information for you or anyone acting on your behalf.

3. Unless specifically stated otherwise in these discovery requests, the time period(s) encompassed by each discovery request includes January 20, 2025 to the present. Further, these discovery requests are continuing in nature. Therefore, if any additional, contrary, or supplemental documents or other information are made available to you, supplemental answers to these discovery requests must be made as required by Fed. R. Civ. P. 26(e).

4. Please restate, verbatim, the text of each of the following discovery requests before providing your response. We will provide an editable version of these discovery requests upon reasonable advance request.

5. If the response to a request is the same for all Defendants, there is no need to distinguish between each Defendant's response. If, however, the response differs between Defendants, please separately state each Defendant's response.

6. If more than one copy of a document exists, please produce the original, as well as every copy on which appears any notation or marking of any sort not appearing on the original.

7. For requests seeking information pertaining to non-DOGE federal employees terminated, placed on leave, or otherwise affected by DOGE personnel actions, Defendants may omit, and Plaintiffs do not seek, Personally Identifiable Information, such as name and date of birth, of such non-DOGE federal employees.

8. Please produce all documents in the possession, custody, or control of you or anyone acting on your behalf, or that are otherwise available to you after a reasonably diligent inquiry, unless any document is claimed to be privileged from discovery. If you contend any document requested is privileged or immune from discovery, produce a privilege/redaction log pursuant to the Federal Rules of Civil Procedure within the time provided by the order of the court authorizing expedited discovery.

9. Please produce all documents requested in the requests for production within the time provided by the order of the court authorizing expedited discovery.

10. When producing documents electronically, please use Bates numbers and provide a description of the documents. When producing documents electronically, please ensure that each separate document is its own separate file. This is because documents must be produced "as they are kept in the usual course of business." Fed. R. Civ. P. 34(b)(2)(E)(i).

11. Produce all electronically stored information in native format, with all metadata intact. Fed. R. Civ. P. 34(b)(1)(C). “Native Format” means the format of ESI in which it was generated and/or as used by the producing party in the usual course of its business and in its regularly conducted activities. For example, the native format of an Excel workbook is a .xls or .xlsx file and the native format of a Microsoft Word document is a .doc or .docx file. “Metadata” means (i) structured (fielded) information embedded in a native file that describes the characteristics, origins, usage, and/or validity of the electronic file; (ii) information generated automatically by operation of a computer or other information technology system when a native file is created, modified, transmitted, deleted, or otherwise manipulated by a user of such system; (iii) information, such as Bates numbers, created during the course of processing documents or ESI for production; and (iv) information collected during the course of collecting documents or ESI, such as the name of the media device, or the custodian or non-custodial data source from which it was collected.

12. Please make reasonably diligent efforts to obtain responsive documents. If, after reasonably diligent efforts, you still lack responsive documents, please say so, and describe the efforts made.

13. If you think any request for production is ambiguous, please do not refuse to respond on that ground. Instead, explain in your response how you have interpreted the request for production.

14. If you cannot answer an interrogatory in full and you have exercised thorough diligence in an attempt to secure the information requested, then you must so state. You must also explain to the fullest extent possible the specific facts concerning your inability to answer the interrogatory and supply whatever information or knowledge you have concerning any unanswered portion of the interrogatory.

15. If your answer to any interrogatory is “unknown,” “not applicable,” or any similar phrase or answer, state the following: (a) Why the answer to that interrogatory is unknown; and (b) The efforts made to obtain answers to the particular interrogatory.

## **REQUESTS FOR PRODUCTION**

1. Produce all DOGE and DOGE Temporary Organization planning, implementation, and operational documents concerning: (1) eliminating or reducing the size of federal agencies; (2) terminating employment of federal employees or placing such employees on leave, or (3) cancelling, freezing, or pausing federal contracts, grants, or other federal funding.
  - This request includes, but is not limited to, directives, memoranda, presentations, FAQs, scripts (such as interview questions), templates, and phased plans. By way of illustration, this request includes, but is not limited to, complete copies of the DOGE documents referenced in the Washington Post article dated February 15, 2025, titled “DOGE’s Playbook for Eliminating DEI,” available at <https://www.washingtonpost.com/politics/interactive/2025/doge-playbook-dei-trump/>, and any other planning and implementation documents similar in form or function.
2. Produce all DOGE and DOGE Temporary Organization planning, implementation, and operational documents regarding obtaining access, using, or making changes to federal databases or data management systems.
3. Produce all documents containing lists, charts, or summaries that DOGE personnel or Musk have created, compiled, or edited reflecting the planned or completed cancellation of federal contracts, grants, or other legal agreements.
4. Produce all documents containing lists, charts, or summaries that DOGE personnel or Musk have created, compiled, or edited regarding the termination of federal employment, placement of federal personnel on leave, or regarding interviews of federal personnel for the purpose of making an assessment about whether to put them on leave or terminate their employment.
5. Produce all interagency agreements, memoranda of understanding, memoranda of action, or other similar documents between: (1) DOGE, the DOGE Temporary Organization, one or more DOGE Teams, and/or DOGE personnel, and (2) any federal agency, component, office and/or other federal organization.

## INTERROGATORIES

1. Identify every individual who has served as DOGE Administrator or as the functional head of DOGE, including in an acting capacity, since January 20, 2025, and the dates served in that capacity. As part of this response, identify all individuals with authority to hire or terminate employment of DOGE personnel since January 20, 2025.

2. Identify every individual serving as DOGE personnel. For each person, identify (1) their title; (2) whether they are part of a DOGE Team at an agency, and if so, what agency; (3) all individuals to whom they directly report; and (4) who hired them.

3. Identify all federal agencies for which DOGE personnel or Musk: (1) cancelled or directed the cancellation of federal contracts, grants, or other similar instruments, or plan to do so between now and June 1, 2025, or (2) terminated employment or placed on leave, or directed the termination of employment or placement on leave, of federal employees, or plan to do so between now and June 1, 2025. For each agency identified, identify each contract, grant, or other agreement cancelled and the number of employees whose employment was terminated or who were placed on leave pursuant to the direction of DOGE personnel or Musk, and the components of the agencies at which those employees who were terminated or placed on leave worked.

4. Identify all federal agencies for which DOGE personnel or Musk: (1) recommended the cancellation of federal contracts, grants, or other similar instruments, or plan to do so between now and June 1, 2025, or (2) recommended termination of employment or placement on leave of federal employees or plan to do so between now and June 1, 2025. For each agency identified, identify each contract, grant, or other agreement cancelled and the number of employees whose employment was terminated or who were placed on leave pursuant to the recommendation of DOGE personnel or Musk, and the components of the agencies at which those employees who were terminated or placed on leave worked.

5. Identify the databases and data management systems at federal agencies to which DOGE personnel have obtained access or plan to obtain access between now and June 1, 2025. For each database and data management system identified, summarize the training received and security measures taken by DOGE personnel prior to accessing each system; DOGE's purpose in accessing each system; the actions taken by DOGE personnel after accessing each system; and whether any data from the system has been transmitted outside the agency.

6. For each Request for Admission served concurrently with these interrogatories, explain the basis for Defendants' response, including the basis of any partial or full denial, for any request not fully admitted.

**REQUESTS FOR ADMISSION**

1. Admit that President Trump stated that he “signed an Order creating the Department of Government Efficiency and put a man named Elon Musk in charge.”<sup>1</sup>
2. Admit that President Trump appointed Elon Musk as the individual in charge of the Department of Government Efficiency.
3. Admit that DOGE personnel have directed the cancellation of federal contracts at one or more federal agencies other than DOGE.
4. Admit that DOGE personnel have directed the termination of employment of federal employees at one or more federal agencies other than DOGE.
5. Admit that Elon Musk has directed actions of DOGE personnel.
6. Admit that Elon Musk is not supervised by any Officer of the United States other than the President of the United States.

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<sup>1</sup> See Andrea Shalal & Nandita Bose, *Trump appears to contradict White House, says Elon Musk in charge of DOGE*, Reuters (Feb. 20, 2025), <https://www.reuters.com/world/us/trump-appears-contradict-white-house-says-elon-musk-charge-doge-2025-02-20/>.