

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

COMMITTEE ON WAYS AND MEANS,
UNITED STATES HOUSE OF
REPRESENTATIVES,

Plaintiff,

v.

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

Defendants,

DONALD J. TRUMP, *et al.*,

Defendants-Intervenors.

Case No. 1:19-cv-01974-TNM

MOTION FOR VOLUNTARY DISMISSAL WITHOUT PREJUDICE

Plaintiff Committee on Ways and Means of the United States House of Representatives hereby moves to dismiss without prejudice its claims in the above-captioned matter pursuant to Rule 41(a)(2) of the Federal Rules of Civil Procedure, because there is no longer any dispute between Plaintiff and Defendants. Counsel for Defendants have indicated that they consent to this relief. Defendants-Intervenors state that they do not oppose the dismissal of Plaintiff's claims provided that the Court agrees that the dismissal cannot and will not adversely affect Defendants-Intervenors' cross-claims and counterclaims.

On July 2, 2019, Plaintiff filed this matter seeking declaratory and injunctive relief regarding Committee Chairman Richard E. Neal's April 3, 2019 request to Defendant Charles P.

Rettig, Commissioner of the Internal Revenue Service, and Chairman Neal's May 10, 2019 subpoenas to then-Defendant Steven T. Mnuchin, then-Secretary of the Treasury, and Commissioner Rettig. ECF Nos. 1, 1-1, 1-11, and 1-12. The request, pursuant to 26 U.S.C. § 6103(f), and subpoenas, instructed Defendants to produce certain tax returns and return information of then-President Donald J. Trump and eight of his business entities. On July 18, 2019, this Court granted the unopposed motion to intervene by then-President Trump and his business entities. ECF No. 14.

On August 20, 2019, Plaintiff filed a motion for expedited consideration of this case, ECF No. 30, and a motion for summary judgment, ECF No. 29. On August 29, 2019, this Court denied the motion to expedite and denied without prejudice the motion for summary judgment as premature. ECF No. 38. On September 6, 2019, Defendants and Defendants-Intervenors filed a motion to dismiss. ECF No. 44.

On January 14, 2020, this Court issued a minute order staying the case. On March 5, 2020, this Court issued a minute order lifting the stay. On March 20, 2020, this Court issued a further stay order, ECF No. 91, which remains in effect.

On June 16, 2021, Chairman Neal sent a request, pursuant to 26 U.S.C. § 6103(f), for certain tax returns and return information of Mr. Trump and eight of his business entities to Defendant Janet L. Yellen, Secretary of the Treasury, and Commissioner Rettig. ECF No. 111 Ex. A. On July 30, 2021, in response to a request from the Acting General Counsel of the Department of the Treasury for legal advice, the Department of Justice Office of Legal Counsel issued an opinion. ECF 111 Ex. B. That opinion concluded that Secretary Yellen must comply with Plaintiff's June 16, 2021 request, *id.* at 39, and Defendant Department of the Treasury has represented to this Court that it intends to do so, ECF No. 111 at 2.

On August 4, 2021, Defendants-Intervenors filed an answer and counterclaims/cross-claims against Plaintiff and Defendants. ECF No. 113.

Accordingly, Plaintiff's claims against the Defendants should be dismissed by the Court without prejudice as moot. Such dismissal will have no adverse effect on the Defendants-Intervenors' counterclaims/cross-claims.

Dated: August 4, 2021

/s/ Douglas N. Letter

Douglas N. Letter (D.C. Bar No. 253492)

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