

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

SHIRA PERLMUTTER,

Plaintiff,

v.

TODD BLANCHE *et al.*,

Defendants.

Case No. 1:25-cv-01659

STATEMENT OF MATERIAL FACTS NOT IN DISPUTE

| | | |
|---|---|--|
| 1 | Shira Perlmutter was appointed to serve as the Register of Copyrights in October 2020 by then-Librarian of Congress, Carla D. Hayden. Declaration of Shira Perlmutter (“Perlmutter Decl.”) ¶ 1. | |
| 2 | President Trump fired Carla D. Hayden from her position as Librarian of Congress on May 8, 2025. Perlmutter Decl. ¶ 5. | |
| 3 | Under the Library of Congress’s regulations issued pursuant to 2 U.S.C. § 136, the Principal Deputy Librarian, Robert R. Newlen, replaced Dr. Hayden as acting Librarian upon her termination. Perlmutter Decl. ¶ 5. | |
| 4 | On May 9, 2025, Ms. Perlmutter issued in pre-publication format Part 3 of a report on Copyright and Artificial Intelligence. This Part, subtitled “Generative AI Training,” addressed the use of copyrighted works in the development of generative AI systems. <i>See</i> U.S. Copyright Off., Copyright and Artificial Intelligence Part 3: Generative AI Training (May 2025), https://perma.cc/3J9F-7SQN ; <i>see</i> Perlmutter Decl. ¶ 7. | |
| 5 | Ms. Perlmutter had been working on the fourth and final installment of the Copyright and Artificial Intelligence report, which she had expected to release this past the summer. Perlmutter Decl. ¶ 7. | |

| | | |
|----|--|--|
| 6 | On May 10, 2025, Ms. Perlmutter received an email from Trent Morse stating that, at the direction of President Trump, she was terminated from her position effective immediately. Perlmutter Decl. ¶ 8; <i>see also id.</i> , Exhibit A. | |
| 7 | On May 12, Brian Nieves, Chief of Staff and Senior Policy Counsel to Deputy Attorney General Todd Blanche, and Paul Perkins, Associate Deputy Attorney General to Mr. Blanche, arrived at the Library of Congress and requested access to the U.S. Copyright Office. Perlmutter Decl. ¶ 10. | |
| 8 | Mr. Nieves and Mr. Perkins showed Library staff a letter from the White House purporting to appoint Mr. Blanche to the position of acting Librarian of Congress pursuant to the Federal Vacancies Reform Act. Perlmutter Decl. ¶ 10; <i>see also id.</i> , Exhibit B. | |
| 9 | Mr. Nieves and Mr. Perkins also showed Library staff an email from Mr. Blanche, stating that he had selected Mr. Nieves to serve as the acting Principal Deputy Librarian, and Mr. Perkins to serve as the acting Register of Copyrights and Director of the U.S. Copyright Office. Perlmutter Decl. ¶ 10. | |
| 10 | Mr. Nieves and Mr. Perkins subsequently left the premises. Perlmutter Decl. ¶ 10. | |
| 11 | To date, officials at the Library of Congress have not recognized Mr. Blanche as the acting Librarian. Perlmutter Decl. ¶¶ 10–11. | |
| 12 | To date, officials at the Library of Congress have not recognized Mr. Nieves as the Register of Copyrights. Perlmutter Decl. ¶¶ 10–11. | |
| 13 | To date, Mr. Blanche, Mr. Perkins, and Mr. Nieves have not assumed control over the Library of Congress's or Copyright Office's operations. Perlmutter Decl. ¶¶ 10–11. | |
| 14 | To date, Ms. Perlmutter has not received any communication from Library of Congress leadership that purports to terminate her employment as Register of Copyrights. Perlmutter Decl. ¶ 13. | |

Dated: September 8, 2025

Respectfully,

/s/ Allyson R. Scher

Brian D. Netter (D.C. Bar No. 979362)
Allyson R. Scher (D.C. Bar No. 1616379)
Democracy Forward Foundation
P.O. Box 34553
Washington, DC 20043
(202) 448-9090
bnetter@democracyforward.org
ascher@democracyforward.org

Donald B. Verrilli, Jr. (D.C. Bar. No. 420434)
Ginger D. Anders
MUNGER, TOLLES & OLSON LLP
601 Massachusetts Avenue, NW, Suite 500E
Washington, D.C. 20001
(202) 220-1100
donald.verrilli@mto.com
ginger.anders@mto.com

Kuruvilla J. Olasa (*pro hac vice* admitted)
Miranda E. Rehaut (*pro hac vice* admitted)
Adeel Mohammadi (*pro hac vice* admitted)
MUNGER, TOLLES & OLSON LLP
350 South Grand Avenue, 50th Floor
Los Angeles, California 90071
(213) 683-9100
kuruvilla.olasa@mto.com
miranda.rehaut@mto.com
adeel.mohammadi@mto.com

Counsel for Plaintiff