

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

AMERICAN FEDERATION OF GOVERNMENT
EMPLOYEES, AFL-CIO, *et al.*,

Plaintiffs,

v.

U.S. OFFICE OF PERSONNEL MANAGEMENT,
et al.,

Defendants.

Case No. 1:25-cv-01237-DLC

**DECLARATION OF F. MARIO TRUJILLO IN SUPPORT OF PLAINTIFFS’
OPPOSITION TO DEFENDANTS’ MOTION TO DISMISS**

I, F. Mario Trujillo, declare as follow:

1. I am an attorney licensed to practice law in the State of California and admitted pro hac vice in this matter. I represent the Plaintiffs in this matter. I make this declaration from personal knowledge, and if called to testify, I could testify competently to the facts stated herein.

2. Attached hereto as **EXHIBIT A** is a true and correct copy of a whistleblower disclosure to Congress titled “Protected Whistleblower Disclosure of Charles Borges Regarding Violation of Laws, Rules & Regulations, Abuse of Authority, Gross Mismanagement, and Substantial and Specific Threat to Public Health and Safety at the Social Security Administration” published by the Government Accountability Project on August 26, 2025. It was downloaded from the following URL on Dec. 11, 2025: <https://whistleblower.org/wp-content/uploads/2025/08/08-26-2025-Borges-Disclosure-Sanitized.pdf>.

3. Attached hereto as **EXHIBIT B** is a true and correct copy of the relevant Table of Contents and Introduction of a study titled “The ‘Presumption or Regularity’ in Trump

Administration Litigation” published by Just Security on Nov. 20, 2025. For space, the full 181-page study is not reproduced in this exhibit. It was downloaded from the following URL on Dec. 11, 2025: <https://www.justsecurity.org/120547/presumption-regularity-trump-administration-litigation/>.

4. Attached hereto as **EXHIBIT C** is a true and correct copy of a news article titled “DOGE Isn’t Dead. Here’s What its Operatives Are Doing Now” published by Wired on December 2, 2025. It was downloaded from the following URL on Dec. 11, 2025: <https://www.wired.com/story/what-is-doge-doing-now/>.

I declare under the penalty of perjury under 28 U.S.C. § 1746 that the foregoing is true and correct to the best of my knowledge.

Executed on this 14th day of December 2025 in San Francisco, California.

/s/Mario Trujillo
F. Mario Trujillo