

UNITED STATES DISTRICT COURT
DISTRICT OF COLUMBIA

PATSY WIDAKUSWARA, JESSICA JERREAT,
KATHRYN NEEPER, JOHN DOES 1-4,
REPORTERS SANS FRONTIÈRES,
REPORTERS WITHOUT BORDERS, INC.,
AMERICAN FEDERATION OF STATE,
COUNTY AND MUNICIPAL EMPLOYEES
(AFSCME), AMERICAN FEDERATION OF
GOVERNMENT EMPLOYEES (AFGE),
AMERICAN FOREIGN SERVICE
ASSOCIATION (AFSA), and THE NEWSGUILD-
CWA,

Plaintiffs,

-against-

KARI LAKE, in her official capacity as Senior
Advisor to the Acting CEO of the U.S. Agency for
Global Media; VICTOR MORALES, in his official
capacity as Acting CEO of the U.S. Agency for
Global Media; and U.S. AGENCY FOR GLOBAL
MEDIA,

Defendants.

Case No. 1:25-cv-01015-RCL

**PLAINTIFFS' RESPONSE TO
DEFENDANTS' STATEMENT OF
UNDISPUTED MATERIAL
FACTS [202-2]**

Response to Defendants' Statement of Material Facts Not in Dispute (ECF No. 202-2)

Pursuant to Local Rule 7(h)(1), Plaintiffs respond as follows to Defendants' Statement of Material Facts Not in Dispute (ECF No. 202-2). For the Court's convenience, Plaintiffs restate below the assertions in each paragraph number of Defendants' Statement.

1. On January 20, 2025, Amanda Bennett resigned from her role as Chief Executive Officer (CEO) of USAGM. *See* Gumma Decl. ¶3.

Response: Undisputed.

2. On February 27, 2025, Ms. Kari Lake was appointed Senior Advisor, a non-career Senior Executive Service position, at USAGM. *See* Gumma Decl. ¶4, Exhibit A.

Response: Undisputed that Mr. Napoli purported to appoint Defendant Lake as Senior Advisor, but disputed as to the legal effectiveness of the appointment. The precise date of the appointment is disputed but immaterial. Defendant Lake filed a declaration with the Court on July 18, 2025 stating, “I have been serving in the role of Senior Advisor at the U.S. Agency for Global Media (USAGM) since on or around March 3, 2025.” ECF No. 127-1 ¶ 1.

3. On March 3, 2025, the White House Presidential Personnel Office (PPO) informed USAGM’s then-General Counsel that, on February 27, 2025, the President had designated Mr. Victor Morales, then in a career position as Senior Advisor at USAGM, to be Acting Chief Executive Officer (CEO) of USAGM. *See* Gumma Decl. ¶5.

Response: Undisputed that Victor Morales was in a career position as Senior Advisor at USAGM and that he used the title Acting CEO starting on March 3, 2025. The remainder of this paragraph is not supported by competent evidence (hearsay, best evidence rule).

4. On July 16, 2025, Acting CEO Victor Morales reassigned Ms. Lake to the position of Deputy CEO. *See* Gumma Decl. ¶6, Exhibit B.

Response: Undisputed that Mr. Napoli purported to reassign Ms. Lake to the position of Deputy CEO, but disputed as to the legal effectiveness of the assignment. The precise date of the reassignment is disputed but immaterial. Defendant Lake filed a declaration with the Court on July 18, 2025 stating, “I have been serving in the role of Senior Advisor at the U.S. Agency for Global Media (USAGM) since on or around March 3, 2025.” ECF No. 127-1 ¶ 1.

5. There is only one Deputy CEO position at USAGM and the Deputy CEO is the senior most position reporting to the CEO. *See* Gumma Decl. ¶7.

Response: Undisputed.

6. On July 31, 2025, Mr. Morales ceased serving in the position as Acting CEO of USAGM. *See* Gumma Decl. ¶8.

Response: Undisputed that Mr. Morales ceased serving as Acting CEO of USAGM sometime in late July 2025. The precise date is disputed, as it is not supported by competent evidence (hearsay, best evidence rule), but it is immaterial.

7. Ms. Lake’s service as Acting CEO of USAGAM began on July 31, 2025. *See* Gumma Decl. ¶9.

Response: Undisputed that Defendant Lake’s service as Acting CEO began sometime in late July 2025. The precise date is disputed, as it is not supported by competent evidence (hearsay, best evidence rule), but it is immaterial.

Plaintiffs’ Additional Statement of Undisputed Material Fact

1. On March 15, 2025, Lake “directed that VOA cease all programming” and “ordered that the VOA news services, the foreign news services, should shut down their transmitters.” Lake Dep. Tr. 109:7-110:1.

2. Defendant Lake signed the March 15, 2025 Notice of Grant Termination to Radio Free Asia as “Senior Advisor to the Acting CEO with Authorities Delegated by Acting CEO.” *Radio Free Asia v. United States*, 1:25-cv-00907-RCL, Fleming Decl. Ex. A (ECF No. 12-2).

February 17, 2026

GOVERNMENT
ACCOUNTABILITY PROJECT

Respectfully submitted,

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Association (AFSA); and the
NewsGuild-CWA*

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