

IN THE UNITED STATES COURT OF FEDERAL CLAIMS
(Bid Protest)

WESTWIND PARTNERS, LLP, et al.,	)	Nos. 24-1504C, 24-1505C, 24-1508C,
	)	24-1529C, 24-1543C, 24-1552C,
Plaintiffs,	)	24-1596C, 24-1599C, 24-1612C,
	)	24-1624C, 24-1632C, 24-1653C,
v.	)	24-1677C, 24-1678C, 24-1735C,
	)	24-1749C, 24-1750C, 24-1760C,
THE UNITED STATES,	)	24-1767C, 24-1764C, 24-1770C,
	)	24-1771C, 24-1780C, 24-1798C,
Defendant,	)	24-1802C, 24-1803C, 24-1833C,
	)	24-1840C, 24-1958C, 24-1972C
CS GOVERNMENT SOLUTIONS, LLC, et al.)	
	)	(Judge Meyers)
Defendant-Intervenors.)	

DEFENDANT’S MOTION TO STAY PROCEEDINGS

Pursuant to Rule 7(b) of the Rules of the United States Court of Federal Claims, defendant, the United States, respectfully requests that the Court stay proceedings in this case for an initial 60-day period and vacate the February 18, 2025 scheduling order (ECF No. 182). On May 23, 2025, counsel for the United States emailed counsel for the plaintiffs and counsel for the defendant intervenors to notify the parties of the Government’s intent to file this motion, and no counsel objected.

Good cause supports this request. On March 20, 2025, the President issued an Executive Order directing the consolidation of the procurement of “common goods and services,” including, as relevant to this protest, information technology (IT) hardware and software. Exec. Order, Eliminating Waste and Saving Taxpayer Dollars by Consolidating Procurement (March 20, 2025) (available at <https://www.whitehouse.gov/presidential-actions/2025/03/eliminating-waste-and-saving-taxpayer-dollars-by-consolidating-procurement/>); *see also* Category Management Leadership Council, 10 Government-wide Categories (March 7, 2019) (available at <https://www.acquisition.gov/content/category-management>).

The Executive Order directs as follows:

- a) Within 60 days of the date of this order, agency heads shall, in consultation with the agency's senior procurement officials, submit to the Administrator proposals, pursuant to 40 U.S.C. 101, 40 U.S.C. 501, or other relevant authorities, to have the General Services Administration conduct domestic procurement with respect to common goods and services for the agency, where permitted by law.
- b) Within 90 days of the date of this order, the Administrator shall submit a comprehensive plan to the Director of OMB for the General Services Administration to procure common goods and services across the domestic components of the Government, where permitted by law.
- c) Within 30 days of the date of this order, pursuant to the authority in 40 U.S.C. 11302(e), the Director of OMB shall designate the Administrator as the executive agent for all Government-wide acquisition contracts for information technology. The Administrator, in consultation with the Director of OMB, shall defer or decline the executive agent designation for Government-wide acquisition contracts for information technology when necessary to ensure continuity of service or as otherwise appropriate. The Administrator shall further, on an ongoing basis and consistent with applicable law, rationalize Government-wide indefinite delivery contract vehicles for information technology for agencies across the Government, including as part of identifying and eliminating contract duplication, redundancy, and other inefficiencies.
- d) Within 14 days of the date of this order, the Director of OMB shall issue a memorandum to agencies implementing subsection (c) of this section.

Id.

A stay of proceedings is warranted in this case to permit the Department of Homeland Security (DHS) to continue evaluating the impact of the Executive Order and to follow the order's directives. In addition, once a final decision has been reached concerning how DHS will procure the IT goods at issue in this protest, the Department of Justice will need time to confer with DHS to discuss the appropriate next steps in this litigation in light of the Executive Order and the resulting decision. DHS agrees to voluntarily stay performance until March 1, 2026.

We respectfully request that the Court vacate the February 18, 2025 scheduling order and stay proceedings in this case for an initial 60-day period. At the end of the 60-day period, the Government respectfully proposes filing a status report to apprise the Court of the status of the implementation of the Executive Order as well as proposed next steps in this case.

Respectfully submitted,

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