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

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| KENNETH ROTH; DANIEL FROOMKIN; BEVERLY GAGE; PETER SCHMIDT-NOWARA; BENJAMIN WITTES; and ETHAN YOUNG,<br><br>Plaintiffs,<br><br>v.<br><br>DONALD J. TRUMP, in his official capacity as President of the United States; STEVEN CHEUNG, in his official capacity as Assistant to the President for Communications; SEAN M. CURRAN, in his official capacity as Director of the Secret Service; and SUSAN WILES, in her official capacity as White House Chief of Staff,<br><br>Defendants. | Civil Action No. |

**DECLARATION OF DANIEL FROOMKIN**

I, Daniel Froomkin, declare and state as follows:

1. I am a plaintiff in this matter and am submitting this declaration in support of a motion for a preliminary injunction.

2. I am over the age of eighteen. I have personal knowledge of the facts stated in this declaration, and, if called to testify, I could and would competently do so under oath.

3. I am a resident of Washington, D.C., and a citizen of the United States.

4. I received a B.A. in History from Yale University.

5. I am a media and political journalist with over four decades of experience. Currently, I am the editor of Press Watch, an independent non-profit organization devoted to encouraging political journalists to fulfill their essential mission of creating an informed electorate

and holding the powerful accountable. I am also the editor of Heads Up News, a weekly newsletter about some of the most consequential and current issues in U.S. politics. I regularly contribute to these and other publications, such as MS NOW and Salon. Previously, I held a series of editorial and reporting positions at national and local news outlets, including the Intercept, the Huffington Post, the Washington Post, Education Week, the Orange County Register, the Miami Herald, and the Winston-Salem Journal.

6. I constantly read White House reporting from a range of news organizations, including the Associated Press, POLITICO, the New York Times, the Wall Street Journal, and the Washington Post. I am a subscriber of the latter three publications, as well as of the Atlantic and Talking Points Memo, a political news website. I also watch broadcast coverage about President Trump and his policies on CNN and MS NOW.

7. I follow and engage directly with multiple White House reporters on social media, particularly the platform Bluesky, where I follow, among others: Liz Landers of PBS News Hour; Peter Baker and Katie Rogers of the New York Times; Laura Barrón-López of MS NOW; Danielle Kurtzleben of NPR; and Scott Waldman of POLITICO. For example, on March 11, 2026, I re-posted a video from Liz Landers of PBS, which recorded her asking President Trump, standing at a press gaggle in front of Marine One, about the FBI seizing election records in Arizona, and the president's revelatory response that he continues to believe the presidential election was "rigged" there in 2020. **Exhibit 1** (available at https://perma.cc/4ECK-S63P). On September 9, 2026, I posted an article written by Peter Baker of the New York Times which provided behind-the-scenes details about President Trump's use of social media, including where he was and what he was doing when posting messages while traveling over a crucial ten-hour period. **Exhibit 2** (Bluesky post) (available at https://perma.cc/79DE-CW59); **Exhibit 3** (New York Times article) (available

at https://perma.cc/48S4-62RC). On April 6, 2026, I posted about Danny Kemp of Agence France-Presse asking President Trump to respond to accusations about his mental health during a news conference at the White House. **Exhibit 4** (original Bluesky post) (available at https://perma.cc/33FD-C73B); **Exhibit 5** (Bluesky post identifying Danny Kemp) (available at https://perma.cc/5CVS-NZ6X).

8. I rely on and engage with reporting from members of the White House press corps in my published commentary and analysis. For example, in a recent post for Press Watch titled "We Need the Washington Post Too Much to Give Up on It Entirely," published on February 10, 2026, I discussed multiple articles written by the Washington Post's White House reporters since the beginning of President Trump's second term in office. **Exhibit 6** (available at https://perma.cc/AA7V-TGQH). Those articles include "Inside the Powerful Task Force Spearheading Trump's Assault on Colleges, DEI," published on July 18, 2025 and co-authored by White House reporter Emily Davies, documenting the activities of the federal government's Joint Task Force to Combat Anti-Semitism, **Exhibit 7** (available at https://perma.cc/G4NA-X7G5), and "Trump's Answer to Numbers He Doesn't Like: Change Them or Throw Them Away," published on August 14, 2025 and co-authored by White House reporter Cat Zakrzewski, providing insight into the president's manipulation of government data, **Exhibit 8** (available at https://perma.cc/P2U6-JRN8). I also frequently use White House reporting from CQ Roll Call, a nonpartisan media organization that reports political news, including by quoting and linking to the transcripts they produce of events like White House press briefings and news conferences. Similarly, I often review White House press pool reports and find them useful for my work, particularly when they inform me about the president's movements and meetings.

9. I believe that the White House press corps serves an essential purpose: informing the public about the president, his policies, and his decisions. These journalists are key sources of information for my work. I write about President Trump, his policies, and the nationwide resistance to his policies. I also write about his relationship to the media, specifically. If I did not have access to reporting from the White House, I would not be able to do this work nearly as well. I rely on reporting from members of the White House press corps to hear and understand what the president is saying, and I benefit greatly from the White House reporters who follow up on leads and press the president and his officials on behalf of readers like me and the public at large. They can ask him difficult questions, get him to respond to facts he would rather not acknowledge, and demand answers. And they do this on behalf of the American people, who have no such opportunity. My criticism of the White House press corps is motivated by my view that journalists who cover the president serve an essential function and that the public suffers if these journalists are intimidated or impeded or if their independence is compromised.

10. President Trump's policy makes more journalists and news organizations afraid of losing their access if they ask tough questions. The threat of expulsion is serious because for political reporters, access is important for them to do their jobs. But for that access to be valuable, they also need to be empowered to ask questions, push for more information, and pursue leads without fear of retaliation. The more reporters who refrain from reporting aggressively from the White House because they are afraid of President Trump, the less information we all have. I am personally deprived of valuable information that I can use to evaluate, opine on, and write about the president. I believe that without a legal prohibition on ideological press restrictions, the chilling effect will magnify.

11. It is also important to me and my work that the White House press corps includes representatives of responsible outlets from across the political spectrum, especially journalists who tend to be more rigorous or critical of the president in office. If more critical outlets are chilled or excluded altogether, the quality of the president's interactions with the press, and in turn the information we receive about the president, will not only be less valuable; it will become mere propaganda. And if President Trump has the power to expel journalists who disagree with him, there will be an even greater incentive for the journalists who remain to attempt to win his favor rather than engage in rigorous, independent newsgathering and reporting.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: October 23, 2026



Daniel Froomkin