



Office of the Attorney General
Washington, D. C. 20530

ORDER NO. 6510-2025

AUTHORIZING CERTAIN OFFICIALS TO CARRY OUT RESPONSIBILITIES
WITHIN THE DISTRICT OF NEW JERSEY

By virtue of the authority vested in the Attorney General by law, including 28 U.S.C. § 509 and 510, I hereby take the following steps to ensure continuity of leadership in the District of New Jersey:

1. I approve the prior appointment of Philip Lamparello as Senior Counsel and authorize him to supervise or conduct the work of the district's Criminal Division and Special Prosecutions Division, including such work in the district's branch offices;
2. I appoint Jordan Fox as Special Attorney and authorize her to supervise or conduct the work of the district's Civil Division and Appellate Division, including such work in the district's branch offices, along with any other matters arising within the district not specifically delegated herein;
3. I appoint Ari Fontecchio as Executive Assistant United States Attorney and authorize him to supervise or conduct the work of the district's Administrative Division, along with any other administrative matters arising within the district.

12/8/28

Date

Pamela Bondi
Attorney General



Office of the Attorney General
Washington, D. C. 20530

December 8, 2025

MEMORANDUM FOR THE ATTORNEY GENERAL

THROUGH: THE DEPUTY ATTORNEY GENERAL

FROM: Henry C. Whitaker *HCW*
Counselor to the Attorney General

SUBJECT: Authorizing Certain Officials to Carry Out Responsibilities Within the
District of New Jersey

PURPOSE: To obtain the Attorney General's signature on the attached order.

AG DECISION REQUESTED BY: December 8, 2025.

REQUIRED DUE DATE: December 8, 2025, to ensure continuity of leadership in the District of New Jersey following the Third Circuit's decision in *United States v. Giraud*, which held that Ms. Alina Habba lacks authority to lead the district.

EXECUTIVE SUMMARY: To provide for leadership in the District of New Jersey while the office of United States Attorney is vacant, you previously appointed Ms. Alina Habba as Special Attorney, designated her as First Assistant United States Attorney, and delegated to her the functions of the office of United States Attorney to the extent permitted by law. The Third Circuit recently concluded that Ms. Habba lacks authority to lead the United States Attorney's Office in the District of New Jersey. See *United States v. Giraud*, No. 25-2635 (3d Cir. Dec. 1, 2025). This proposed order would divide the responsibilities of the United States Attorney among three officials so that the district may have continuity of leadership while the Department considers next steps in the *Giraud* litigation. It would additionally approve the appointments of those three individuals to ensure that leadership in the district is consistent with the Appointments Clause.

DISCUSSION: The Third Circuit recently concluded that Ms. Alina Habba cannot serve as Acting United States Attorney under the Federal Vacancies Reform Act of 1998 by virtue of her designation as First Assistant United States Attorney. The court additionally concluded that it is

HCW
12-8-2025

inconsistent with the Vacancies Reform Act for Ms. Habba to lead the office pursuant to a delegation that authorizes her to carry out all of the responsibilities of the United States Attorney. To ensure continuity of leadership while the Department considers next steps in that litigation, this proposed order would divide the responsibilities of the United States Attorney among three officials—Philip Lamparello, Jordan Fox, and Ari Fontecchio. It additionally would approve the prior appointment of Mr. Lamparello as Senior Counsel and would appoint Ms. Fox and Mr. Fontecchio as Special Attorney and Executive Assistant United States Attorney, respectively, thereby ensuring that each delegee holds an appointment from the Attorney General that is consistent with the Appointments Clause.

CONSULTATION: None

OTHER STAKEHOLDERS: None.

RECOMMENDATION: I recommend that the Attorney General sign the attached order.



U.S. Department of Justice

Office of Legal Counsel

Office of the Deputy Assistant Attorney General

Washington, D.C. 20530

December 8, 2025

MEMORANDUM FOR PAMELA BONDI
Attorney General

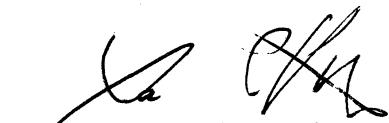
*Re: Proposed Attorney General Order Authorizing
Certain Officials to Carry Out Responsibilities
Within the District of New Jersey*

ACTION MEMORANDUM

The attached proposed Attorney General Order was submitted to this Office for review with respect to form and legality.

The Third Circuit recently concluded that Ms. Alina Habba, the First Assistant United States Attorney for the District of New Jersey, cannot serve as Acting United States Attorney under the Federal Vacancies Reform Act of 1998 and additionally cannot perform all the functions and duties of the office of United States Attorney pursuant to a delegation of authority. *See United States v. Giraud*, No. 25-2635 (3d Cir. Dec. 1, 2025). While the Department considers next steps in that litigation, this proposed Order would take several actions to ensure continuity of leadership in the district. The proposed Order would delegate the responsibilities of the office of United States Attorney for the District of New Jersey to three officials: Philip Lamparello, who would be authorized to supervise or conduct the work of the district's Criminal Division and Special Prosecutions Division; Jordan Fox, who would be authorized to supervise or conduct the work of the district's Civil Division and Appellate Division, along with any other matters not specifically delegated by the Order; and Ari Fontecchio, who would be authorized to supervise or conduct the work of the district's Administrative Division, along with any other administrative matters arising within the district. The proposed Order would additionally approve the prior appointment of Mr. Lamparello as Special Counsel and would appoint Ms. Fox as Special Attorney and Mr. Fontecchio as Executive Assistant United States Attorney. Your approval of the appointments of these officials would ensure that their service in the district is consistent with the Appointments Clause.

The proposed Order is approved with respect to form and legality.


Lanora C. Pettit
Deputy Assistant Attorney General

Subject: Authorizing Certain Officials to Carry Out Responsibilities Within the District of New Jersey

APPROVE: Dan.

Dated: December 8, 2025

DISAPPROVE: _____

Concurring Component(s):

OLC DCP 12/8/25

Non-Concurring Component(s):

Attachment:

Attorney General Order