

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

DO NO HARM,
Plaintiff,

v.

UNITED STATES DEPARTMENT OF
HEALTH AND HUMAN SERVICES *et al.*,
Defendants,

and

PAPA OLA LŌKAHI,
Intervenor-Defendant.

Case No. 1:26-cv-01602-LLA

PAPA OLA LŌKAHI’S MOTION TO TRANSFER

Pursuant to 28 U.S.C. § 1404(a), Intervenor-Defendant Papa Ola Lōkahi respectfully moves this Court to transfer this case to the United States District Court for the District of Hawai‘i. All the requirements for transfer under 28 U.S.C. § 1404(a) are met in this case. Plaintiff Do No Harm (“DNH”) could originally have brought this action in the District of Hawai‘i. It is also in the interest of justice and more convenient for the parties and witnesses for this case to be transferred to the District of Hawai‘i. The public interest factors favor transfer: (1) the District of Hawai‘i has greater familiarity with the governing law; (2) the District of Hawai‘i is less congested; and (3) there is a strong local interest in deciding this case in Hawai‘i. Transferring this case would avoid duplicating judicial resources and possible inconsistent results. The private interest factors also favor transfer: (1) DNH’s choice of forum should not be afforded deference; (2) Papa Ola Lōkahi’s preferred form should be afforded deference; (3) DNH’s claim—if true—would have arisen in the District of Hawai‘i; (4) the District of Hawai‘i is more convenient for the parties; (5) the District of Hawai‘i is more convenient for likely witnesses; and (6) access to sources of proof will be easier in the District of Hawai‘i.

Pursuant to Local Civil Rule 7(m), undersigned counsel has conferred with counsel for DNH and Defendants United States Department of Health and Human Services, Robert F. Kennedy, Jr., United States Health Resources and Services Administration, and Thomas J. Engels (together, “Defendants”) regarding their clients’ positions on this motion. Counsel for DNH represents that its client opposes this motion. Counsel for Defendants represents that its clients will respond to this motion once it is filed and they have the opportunity to review it.

Attached to this motion is Papa Ola Lōkahi’s Memorandum in Support of its Motion to Transfer and a Proposed Order.

RESPECTFULLY SUBMITTED this 14th day of July, 2026.

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**PAPA OLA LŌKAHI’S MEMORANDUM IN SUPPORT OF ITS MOTION TO
TRANSFER**

Plaintiff Do No Harm (“DNH”) challenges the constitutionality of the Native Hawaiian Health Scholarship Program (“Scholarship Program” or “Scholarship”). The Scholarship Program grants scholarships to Native Hawaiian students pursuing degrees in health care and who commit to practicing in a Native Hawaiian health care system or a health professional shortage area or medically underserved area in Hawai‘i for a minimum of two years. *See* 42 U.S.C. § 11709. The Scholarship Program is part of Congress’s fulfillment of the United States’s trust responsibility to Native Hawaiians to raise their health status to the highest extent possible and to provide existing Native Hawaiian health care programs with all the resources necessary to effectuate this policy in Hawai‘i. *Id.* §§ 11701(18), (22), 11702(a).

Given the Scholarship Program’s focus on improving Native Hawaiian health care in Hawai‘i, this case should be transferred to the United States District Court for the District of Hawai‘i. All the requirements for transfer under 28 U.S.C. § 1404(a) are met in this case. DNH could have originally brought this action in the District of Hawai‘i. It is also in the interest of

justice and more convenient for the parties and witnesses for this case to be decided where its impacts will be most felt: the District of Hawai‘i. For the reasons set forth herein, Papa Ola Lōkahi respectfully requests that this case be transferred to the District of Hawai‘i.

FACTUAL BACKGROUND

Congress passed the Native Hawaiian Health Care Act (“Health Care Act”) in 1988. Pub. L. No. 100-579, 102 Stat. 2916 (1988), *as amended by* Native Hawaiian Health Care Improvement Act, Pub. L. No. 102-396, § 9168, 106 Stat. 1876, 1948 (1992) (codified at 42 U.S.C. §§ 11701–11714). The Health Care Act was passed “[i]n furtherance of the [United States’s] trust responsibility for the betterment of the conditions of Native Hawaiians[.]” to provide “comprehensive health promotion and disease prevention services to maintain and improve the health status of the Hawaiian people.” 42 U.S.C. § 11701(18); *see also id.* § 11702(a). To help deliver on these commitments, Congress established the Scholarship Program.

The Scholarship Program is a merit-based scholarship for Native Hawaiian students, *id.* § 11709(a), pursuing certain primary health care professions, *id.* § 11709(b)(1)(A), who commit to serving in either (1) one of the five Native Hawaiian health care systems, *id.* § 11709(b)(1)(D)(i);¹ or (2) a health professional shortage area or medically underserved area in Hawai‘i, *id.* § 11709(b)(1)(D)(ii)(I),² or an area or facility in Hawai‘i that is similarly designated.

¹ A Native Hawaiian health care system is an entity in Hawai‘i “in which Native Hawaiian health care practitioners significantly participate in the planning, management, monitoring, and evaluation of health care services,” and which “meet[s] the health care needs of each island’s Native Hawaiians[.]” 42 U.S.C. § 11711(6)(D)–(E). Papa Ola Lōkahi must certify that Native Hawaiian health care systems meet these requirements. *Id.* § 11711(6)(F).

² A health professional shortage area is a geographic area, population, or facility that has a shortage of primary, dental, or mental health care providers, while a medically underserved area is a geographic area or population that lacks access to primary care services. *See What Is*

Id. § 11709(b)(1)(D)(ii)(II).³ Recipients must commit to a term of service of at least two years. *Accord* 42 U.S.C. § 11709(a)(1); *id.* § 254l(f)(1)(B)(v).⁴ Since 1991, the Scholarship Program has helped more than 300 recipients pursue not only health care education, but also employment in Hawai‘i. *See* Papa Ola Lōkahi, *Impact Report Maui Ola Mālamalama 2024–2025*, at 14 (2025), http://www.papaolalokahi.gov/wp-content/uploads/MOM_report_2025_Single-Page_251117_FINAL.pdf [hereinafter MOM Report]. In Fiscal Year 2025, Congress appropriated \$2.2 million for the Scholarship Program, which funded ten recipients. Scholarship Program recipients help provide medical care that integrates traditional Native Hawaiian values, beliefs, and practices. As of 2021, most Scholarship Program recipients still worked in their placement communities in Hawai‘i two years after the conclusion of their service obligation. *Native Hawaiian Health Scholarship Program – How It Works*, Papa Ola Lōkahi (July 28, 2025), <https://www.papaolalokahi.org/blog/native-hawaiian-health-scholarship-program-how-it-works>. The Scholarship Program “has strategically increased the number of providers in primary care and behavioral health disciplines to meet Hawai‘i’s health care professional shortage.” MOM Rep., *supra* at 14. Under the Health Care Act, Papa Ola Lōkahi regularly reevaluates priority disciplines to ensure Scholarship Program recipients help address the most critical health care professional shortages in Hawai‘i. 42 U.S.C. § 11709(b)(1)(A).

Shortage Designation?, Health Res. & Servs. Admin. (Apr. 2026), <https://bhw.hrsa.gov/workforce-shortage-areas/shortage-designation>.

³ In keeping with the general purpose of the Scholarship Program, Papa Ola Lōkahi often describes the service commitment as requiring two to four years of service in a “medically underserved area.” This is consistent with the reality that eleven out of twelve Native Hawaiian health care system clinical facilities are located in medically underserved areas and the fact that, to Papa Ola Lōkahi’s knowledge, Scholarship recipients have never been placed into a “similarly designated” area or facility.

⁴ *See also* Health Res. & Servs. Admin., *Native Hawaiian Health Scholarship Program School Year 2026-2027: Application & Program Guide* 45 (2026), <https://bhw.hrsa.gov/sites/default/files/bureau-health-workforce/funding/fy2026-nhhsp-apg.pdf>.

Papa Ola Lōkahi is a non-profit organization based in Honolulu, Hawai‘i, whose mission is “[t]o improve the health status and wellbeing of Native Hawaiians and others by advocating for, initiating and maintaining culturally appropriate strategic actions aimed at improving the physical, mental and spiritual health of Native Hawaiians and their ‘ohana (families) and empowering them to determine their own destinies.” *Ke Ala Mālamalama, Mission*, Papa Ola Lōkahi, <https://www.papaolalokahi.org/about-us> (last visited May 14, 2026). Papa Ola Lōkahi was formally incorporated in 1989 after Congress passed the Health Care Act. *See* 42 U.S.C. § 11711(7). The Health Care Act established numerous responsibilities for Papa Ola Lōkahi to help address the severe “unmet health needs of the Native Hawaiian people[.]” *Id.* § 11701(22); *see also id.* § 11704.

Papa Ola Lōkahi was statutorily designated as a joint administrator of the Scholarship Program in 2002. Pub. L. No. 107-116, § 514, 115 Stat. 2177, 2220 (2002). Papa Ola Lōkahi now jointly administers the Scholarship Program with Defendant U.S. Health Resources and Services Administration (“HRSA”) pursuant to a cooperative agreement. 42 U.S.C. § 11709(a). Pursuant to the Health Care Act and this cooperative agreement, Papa Ola Lōkahi helps implement the Scholarship Program’s rigorous selection criteria to identify recipients who are qualified and committed to improving the health of Native Hawaiians. *Id.* § 11709(b)(1)(C). Under the Health Care Act, Papa Ola Lōkahi has primary responsibility for vetting Scholarship Program applicants and making recommendations to HRSA for the final selection of recipients and the payment of awards. *Id.* Papa Ola Lōkahi is also responsible for Scholarship Program recipient placement, mentoring, and other professional development support.

PROCEDURAL BACKGROUND

DNH filed its complaint on March 30, 2026. Compl., Dkt. No. 1. Papa Ola Lōkahi moved to intervene on May 15, 2026. Dkt. No. 11. The Court subsequently granted Papa Ola Lōkahi intervention as a matter of right on June 16, 2026. Dkt. No. 28. Papa Ola Lōkahi’s answer was filed on June 16, 2026. Dkt. No. 29. Defendants United States Department of Health and Human Services (“HHS”), Secretary of Health and Human Services Robert F. Kennedy, Jr. (“the Secretary”), HRSA, and HRSA Administrator Thomas J. Engels (together, “Defendants”) requested and received an extension to file an answer or motion to dismiss by July 20, 2026. Dkt. No. 21; Minute Order (June 1, 2026). DNH requested and received an extension to file an amended complaint within fourteen days of the date Defendants file their answer or motion to dismiss. Dkt. No. 30; Minute Order (July 1, 2026). There have been no other substantive filings in this case.

LEGAL STANDARD

A district court may transfer a civil action to another district court “[f]or the convenience of parties and witnesses, in the interest of justice,” so long as the action “might have been brought” in the proposed transferee district. 28 U.S.C. § 1404(a). “District courts accordingly have discretion under § 1404(a) to transfer a case based on an ‘individualized case-by-case consideration of convenience and fairness.’” *Mich. Welfare Rts. Org. v. Trump*, 600 F. Supp. 3d 85, 98 (D.D.C. 2022) (quoting *Berry v. U.S. Dep’t of Just.*, 49 F. Supp. 3d 71, 74 (D.D.C. 2014)). This Court, in particular, “must be vigilant ‘to guard against the danger that a plaintiff might manufacture venue . . . [b]y naming high government officials as defendants’ and ‘bring[ing] a suit here that properly should be pursued elsewhere.’” *Raju v. Jaddou*, No. 22-cv-02308 (APM), 2023 WL 5321888, at *1 (D.D.C. Apr. 7, 2023) (quoting *Cameron v. Thornburgh*, 983 F.2d 253,

256 (D.C. Cir. 1993)) (ellipses, brackets in original). “[A] motion for transfer may be made at any time after the initiation of an action under 1404(a)[.]” *Great Socialist People’s Libyan Arab Jamahiriya v. Miski*, 496 F. Supp. 2d 137, 140 n.3 (D.D.C. 2007).

A party seeking transfer must make two showings. First, the party must establish that the plaintiff could have brought its action in the proposed transferee district. *See City of W. Palm Beach v. U.S. Army Corps of Eng’rs*, 317 F. Supp. 3d 150, 153 (D.D.C. 2018). Second, the party “must demonstrate that considerations of convenience and the interest of justice weigh in favor of transfer to that district.” *Blackhawk Consulting, LLC v. Fed. Nat’l Mortg. Ass’n*, 975 F. Supp. 2d 57, 59 (D.D.C. 2013) (citation omitted). In evaluating whether a party satisfies this second showing, this Court considers several public and private interest factors, *see id.* at 59–60, as well as whether transfer would “avoid[] duplication of judicial resources and the possibility of inconsistent results.” *Ysleta del Sur Pueblo v. Nat’l Indian Gaming Comm’n*, 731 F. Supp. 2d 36, 40 (D.D.C. 2010). As set forth below, the balance of these factors weighs in favor of transferring this case to the District of Hawai‘i.

ARGUMENT

I. This action could have originally been brought in the District of Hawai‘i.

The threshold inquiry in evaluating a motion to transfer under 28 U.S.C. § 1404(a) “is whether the action could have originally been brought in the proposed transferee district.” *Blackhawk Consulting*, 975 F. Supp. 2d at 60 (citation omitted). To assess whether a district is proper, the federal venue statute provides that an action against a federal agency or official may “be brought in any judicial district in which . . . a substantial part of the events or omissions giving rise to the claim occurred[.]” 28 U.S.C. § 1391(e)(1)(B).

There is no question that this action could have originally been brought in the District of Hawai‘i. Papa Ola Lōkahi, which is headquartered and operates in Hawai‘i, is statutorily designated as the joint administrator of the Scholarship Program. 42 U.S.C. § 11709(a). The Scholarship Program provides scholarships for students who commit to working in medically underserved areas in Hawai‘i. *Id.* § 11709(b)(1)(D). While HRSA makes the final selection of Scholarship Program recipients and pays out the scholarships to successful applicants, pursuant to the Health Care Act and its cooperative agreement, Papa Ola Lōkahi implements the rigorous statutory selection criteria to identify qualified candidates who are committed to improving the health of Native Hawaiians and makes recommendations to HRSA about which applicants should receive a scholarship. *See id.* § 11709(b)(1)(C).

In its Complaint, DNH alleges that its members were harmed when they were informed that they were ineligible for the Scholarship Program because they are not Native Hawaiian. *See* Compl. ¶¶ 31, 35. If Members A, B, or C had, in fact, applied to the Scholarship Program,⁵ pursuant to its cooperative agreement with HRSA and the Health Care Act, their applications would have been processed by Papa Ola Lōkahi in Hawai‘i to determine their compliance with the statutory eligibility criteria, and not by Defendants in the District of Columbia. As this Court has admonished, it must be vigilant in preventing plaintiffs from manufacturing venue in the District of Columbia by simply naming high government officials as defendants. *See Raju*, 2023 WL 5321888, at *1. This is particularly relevant because the administration of Scholarship

⁵ As set forth in its answer, Papa Ola Lōkahi is without knowledge or information sufficient to form a belief about the truth of DNH’s allegations related to its members’ alleged applications and denials. Accordingly, Papa Ola Lōkahi denied these allegations. *See* Dkt. No. 29 ¶¶ 27–36. Papa Ola Lōkahi assumes the truth of these allegations here only for the purposes of applying this private interest factor and to describe how and where DNH’s claim would have arisen, if true.

Program within HHS has been delegated to HRSA, *see* Statement of Organization, Functions and Delegations of Authority, 80 Fed. Reg. 81,341, 81,343 (Dec. 29, 2015), which is located in the District of Maryland, not the District of Columbia. *See* Compl. at 1.

In addition to jointly administering the Scholarship Program with HRSA, Papa Ola Lōkahi coordinates Scholarship Program recipients' placement in the workforce in Hawai'i following graduation. After graduation, Papa Ola Lōkahi also provides recipients with mentorship and professional development support. This work is part of Papa Ola Lōkahi's broader efforts to implement the comprehensive master health care plan, as required by the Health Care Act. *See* 42 U.S.C. § 11704(a)(1) (Papa Ola Lōkahi is responsible for "coordination, implementation, and updating, as appropriate, of the comprehensive health care master plan"). The comprehensive master health care plan is "designed to promote comprehensive health promotion and disease prevention services and to maintain and improve the health status of Native Hawaiians." *Id.* § 11703(a). The Scholarship Program is intended to support the education and training of health care professions "that correspond to the need for each type of health care professional identified in the Native Hawaiian comprehensive master health care plan . . . as identified by Papa Ola Lōkahi[.]" *Id.* § 11709(b)(1)(A).

Papa Ola Lōkahi's statutorily mandated work implementing the comprehensive master health care plan, of which the Scholarship Program is an integral part, and jointly administering the Scholarship Program all occurs in Hawai'i. Given Congress's expressed finds of the "unmet health needs of Native Hawaiian people[.]" *id.* § 11701(22), and the Health Care Act's purpose of furthering the United States's "trust responsibility for the betterment of the conditions of Native Hawaiians," *id.* § 11701(17), it is no surprise that a substantial part of the events allegedly

giving rise to DNH's claim would have occurred in Hawai'i. Thus, DNH's claim could have originally been brought in the District of Hawai'i.

II. The interests of justice and the convenience of the parties and witnesses support transfer to the District of Hawai'i.

A party seeking transfer “must demonstrate that considerations of convenience and the interest of justice weigh in favor of transfer to that district.” *Blackhawk Consulting*, 975 F. Supp. 2d at 59 (citation omitted). In evaluating whether a party satisfies this showing, this Court considers several public and private interest factors. In considering the public-interest factors, the Court balances “(1) the transferee’s familiarity with the governing law; (2) the relative congestion of the courts of the transferor and transferee; and (3) the local interest in deciding local controversies at home.” *Alaska v. Dep’t of Interior*, No. 25-0330 (PLF), 2025 WL 1730193, at *8 (D.D.C. June 23, 2025) (citations omitted). Additionally, this Court considers “the interest in avoiding duplication of judicial resources and the possibility of inconsistent results[]” in deciding whether the interests of justice are served in transferring a case. *Ysleta del Sur Pueblo*, 731 F. Supp. 2d at 40. In considering the private-interest factors, the Court considers “(1) the plaintiff’s choice of forum; (2) the defendant’s preferred forum; (3) the location where the claim arose; (4) the convenience of the parties; (5) the convenience of the witnesses; and (6) ease of access to sources of proof.” *Alaska*, 2025 WL 1730193, at *9. The balance of these factors weighs in favor of transferring this case to the District of Hawai'i.

A. The public interest factors support transfer to the District of Hawai'i.

1. The local interest in deciding this case supports transfer to the District of Hawai'i.

The local interest in deciding a case at home “is ‘perhaps the most important’ factor in the motion-to-transfer balancing test.” *Alaska Wilderness League v. Jewell*, 99 F. Supp. 3d 112, 116

(D.D.C. 2015) (citation omitted). “The inquiry is whether the impact of the litigation is local to one region.” *Ysleta del Sur Pueblo*, 731 F. Supp. 2d at 41. As this Court has repeatedly recognized, “when a case ‘touches the affairs of many persons’ in a district, ‘there is reason for holding the trial in their view and reach rather than in remote parts of the country where they can learn of it by report only.’” *Jalloh v. Underwood*, 300 F. Supp. 3d 151, 157 (D.D.C. 2018) (quoting *Pres. Soc. of Charleston v. U.S. Army Corps of Eng’rs*, 893 F. Supp. 2d 49, 57 (D.D.C. 2012)) (brackets omitted).

This Court’s recent decision in *Alaska v. Department of Interior* to transfer a case from this District to the District of Alaska is particularly instructive. In *Alaska*, this Court transferred to the District of Alaska the State of Alaska’s (“the State”) lawsuit challenging a decision by the National Indian Gaming Commission to authorize casino gaming on a Native allotment located in Alaska. 2025 WL 1730193, at *1. This Court noted that the legal issues raised in the State’s case “deal[t] exclusively with ‘government jurisdiction of Alaska Native Villages over land and nonmembers.’ In other words, the State’s action challenges agency decisions and legal interpretations that relate *exclusively to Alaska*.” *Id.* at *8 (emphasis in original, internal citations omitted). Finally, the Court concluded that the State’s case did not have any national significance because it “involve[d] gaming on an allotment in Alaska, which was approved based on [the U.S. Department of the] Interior’s interpretation of a statute that deals exclusive with Alaska Native Villages.” *Id.* at *9. The same considerations that lead this Court to transfer the *Alaska* case to the District of Alaska hold true here. The Scholarship Program is jointly administered by Papa Ola Lōkahi in Hawai‘i and directly benefits the citizens of Hawai‘i, who receive the benefit of health professionals who participate in the Scholarship Program, commit to serving in Hawai‘i, and increase the number of available primary care providers in the State.

The local interest in the resolution of this case is significant. From Western contact and the illegal overthrow of the Hawaiian government until today, Native Hawaiians have faced a severe public health crisis. *See* 42 U.S.C. § 11701(22).⁶ For instance, Native Hawaiians have the highest mortality rates from chronic, preventable diseases of any group in Hawai‘i. *See* Dep’t of Native Hawaiian Health, *Assessment and Priorities for the Health and Well-Being in Native Hawaiians and Pacific Islanders* (2020), https://www.papaolalokahi.org/wp-content/uploads/nphi_hlthassessmentpriorities_rpt2020.pdf. The impacts of these health disparities on Hawai‘i’s local economy are significant. *See* Off. of Governor, *New Hawai‘i Quality of Life and Well-Being Dashboard Launches* (Mar. 2, 2025), <https://governor.hawaii.gov/main/new-hawai%CA%BBi-quality-of-life-and-well-being-dashboard-launches/>. The economic toll of health disparities has been well documented. *See, e.g.,* Nat’l Insts. of Health, *NIH-Funded Study Highlights the Financial Toll of Health Disparities in the United States* (May 16, 2023), <https://www.nih.gov/news-events/news-releases/nih-funded-study-highlights-financial-toll-health-disparities-united-states>. Intervention directed at the socio-economic determinants of Native Hawaiian health, like the Scholarship Program, has social and economic consequences for Hawai‘i, not the District of Columbia. *See* Kelley Withy et al., *Hawai‘i Physician Workforce Assessment 2010*, 71 Haw. J. Med. Pub. Health 6 (2012), <https://pubmed.ncbi.nlm.nih.gov/22737636/>.

The Scholarship Program places Native Hawaiian recipients in one of the five Native Hawaiian health care systems or a health professional shortage area or medically underserved

⁶ *See also* Native Hawaiian Health Rsch. Consortium, *E Ola Mau: The Native Hawaiian Health Needs Study Medical Task Force Report* (Dec. 1985), <https://www.papaolalokahi.org/wp-content/uploads/pol-pdf/71985-E-Ola-Mau-The-Native-Hawaiian-Health-Needs-Study-Medical-Task-Force-Report.pdf>; Haw. Pub. Health Inst., *Native Hawaiian Health Task Force: 2017 Preliminary Report and Recommendations* (Dec. 2016), https://dnhh.hawaii.edu/_docs/nhhtflegislativereport_final-1.pdf.

area in Hawai‘i. The effects of the Scholarship Program are felt long after recipients’ terms of service end. Indeed, as of 2021, over half of the recipients were still working in their placement communities two years after completing their terms of service. MOM Rep., *supra* at 15. Since 1991, the Scholarship Program has placed more than 300 recipients into the Native Hawaiian health care systems, and health professional shortage areas and medically underserved areas throughout Hawai‘i. *Id.* at 14. These recipients and placements correspond to the need for the specific type of health care professionals identified by Papa Ola Lōkahi in the comprehensive master health care plan. *See* 42 U.S.C. § 11709(b)(1)(A). Over the past thirty-five years, the Scholarship Program “has strategically increased the number of providers in primary care and behavioral health disciplines to meet Hawai‘i’s health care professional shortage.” MOM Rep., *supra* at 14.

The Scholarship Program is meant to fulfill the United States’s larger trust responsibility to provide health care services to Native Hawaiians. The United States has committed itself to providing “comprehensive health promotion and disease prevention services to maintain and improve the health status of the Hawaiian people.” 42 U.S.C. § 11701(18). As Congress declared in the Health Care Act:

[I]t is the policy of the United States in fulfillment of its special responsibilities and legal obligations to the indigenous people of Hawaii . . .

- (1) to raise the health status of Native Hawaiians to the highest possible health level; and
- (2) to provide existing Native Hawaiian health care programs with all resources necessary to effectuate this policy.

Id. § 11702(a). The Scholarship Program, administered consistently with the needs identified in the comprehensive master health care plan, *id.* § 11709(b)(1)(A), is a critical component of the United States’s fulfillment of this policy and these trust obligations. *Id.* § 11701(18). As such, the impact of DNH’s action is felt by Native Hawaiians in Hawai‘i. Likewise, this case does not

have national significance because the Scholarship Program is part of the Health Care Act and the United States’s fulfillment of its political and trust obligations to Native Hawaiians.

“There can be little doubt that the impact of this case will be felt primarily – and more likely exclusively – in [Hawai‘i].” *Alaska*, 2025 WL 1730193, at *8 (citation omitted). Any changes to the program will affect the selection of Scholarship Program recipients and their placement into medically underserved areas in Hawai‘i. Ultimately, changes to the program will directly affect the provision of health care services to Native Hawaiians in Hawai‘i. Thus, there is a prevailing local interest in resolving this case at home. This factor therefore weighs in favor of transfer.

2. The District of Hawai‘i has more familiarity with the governing law.

This Court, like all federal district courts, is qualified to address federal law questions like those raised in DNH’s complaint. *See Wolfram Alpha LLC v. Cuccinelli*, 490 F. Supp. 3d 324, 335 (D.D.C. 2020) (“Because Plaintiff pursues federal claims requiring interpretation of federal law, ‘the transferee district is presumed to be equally familiar with the federal laws governing the plaintiff’s claims.’” (citation, brackets omitted)). Nevertheless, DNH challenges a congressionally established program that provides services to Native Hawaiians in Hawai‘i and which is specifically designed to advance Native Hawaiian health outcomes in Hawai‘i. Congress enacted the Health Care Act and established the Scholarship Program in fulfillment of the United States’s political and trust relationship with Native Hawaiians. *See* 42 U.S.C. §§ 11701(17)–(22), 11702(a). While courts’ relative familiarity with the subject matter is normally a neutral factor, compared to the District of Hawai‘i, this Court is not “equally familiar[]” with the unique and complex legal issues raised in this case. *Al-Ahmed v. Chertoff*, 564 F. Supp. 2d 16, 20 (D.D.C. 2008). Thus, this factor weighs in favor of transfer.

The District of Hawai‘i (as well as the Ninth Circuit) has extensive experience in adjudicating challenges to federal and state programs serving Native Hawaiians. These courts have developed a body of caselaw concerning the political status of Native Hawaiians, the United States’s political and trust relationship with Native Hawaiians, and equal protection challenges to Native Hawaiian programs.⁷ In contrast, undersigned counsel was able to identify only a single case decided by this Court that addresses these issues, and even then, only tangentially.

American Federation of Government Employees (AFL-CIO) v. United States involved a challenge to a provision of the 2000 Defense Authorization Act, as amended in 2001, that allowed the U.S. Department of the Air Force to bypass normal contracting procedures and contract with qualified firms at least fifty-one percent owned by an Indian Tribe or a Native Hawaiian organization. 195 F. Supp. 2d 4, 23 (D.D.C. 2002), *aff’d*, 330 F.3d 513 (D.C. Cir. 2003). The specific contract challenged in the case was awarded to an Alaska Native corporation and its subsidiary. *Id.* at 8. In this case, this Court, affirmed by the D.C. Circuit, held that the contracting preference did not “violate[] equal protection.” *Id.* at 23 (citation omitted).

⁷ See, e.g., *Akina v. Hawai‘i*, 141 F. Supp. 3d 1106 (D. Haw. 2015), *aff’d in part*, 835 F.3d 1003 (9th Cir. 2016); *Arakaki v. Lingle*, 198 F. Supp. 2d 1165 (D. Haw. 2002), *and*, 299 F. Supp. 2d 1090 (D. Haw. 2002), *aff’d part, rev’d part sub nom.*, *Arakaki v. Cayetano*, 477 F.3d 1048 (9th Cir. 2007), *vac’d*, 547 U.S. 1189 (2006), *aff’d in part, rev’d in part on remand*, 423 F.3d 954 (9th Cir. 2005); *Day v. Apoliona*, 451 F. Supp. 2d 1133 (D. Haw. 2006); *Doe v. Kamehameha Schs./Bernice Pauahi Bishop Est.*, 295 F. Supp. 2d 1141 (D. Haw. 2003), *aff’d in part, rev’d in part*, 416 F.3d 1025 (9th Cir. 2005), *rev’d en banc*, 470 F.3d 827 (9th Cir. 2006) (*en banc*); *Carroll v. Nakatani*, 188 F. Supp. 2d 1219 (D. Haw. 2001), *and*, 188 F. Supp. 2d 1233 (D. Haw. 2002), *aff’d*, 342 F.3d 934 (9th Cir. 2003); *Kahawaiolaa v. Norton*, 222 F. Supp. 2d 1213 (D. Haw. 2002), *aff’d*, 386 F.3d 1271 (9th Cir. 2004); *Naliuelua v. Hawai‘i*, 795 F. Supp. 1009 (D. Haw. 1990), *aff’d*, 940 F.2d 1535 (9th Cir. 1991); *Hoohuli v. Ariyoshi*, 631 F. Supp. 1153 (D. Haw. 1986).

Accordingly, while Papa Ola Lōkahi respects this Court’s ability to adjudicate the legal issues raised in DNH’s Complaint, this Court (and the D.C. Circuit) is not equally familiar with the governing law as the District of Hawai‘i (and the Ninth Circuit). This factor weighs in favor of transfer.

3. The relative congestion of the two districts supports transfer to the District of Hawai‘i.

“In this District, potential speed of resolution is examined by comparing the median filing times to disposition in the courts at issue.” *Smith v. Yeager*, 234 F. Supp. 3d 50, 60 (D.D.C. 2017) (citations, brackets omitted). This factor is generally neutral unless there is a “showing that the docket of either court is ‘substantially more congested’ than the other[.]” *Gulf Restoration Network v. Jewell*, 87 F. Supp. 3d 303, 315 (D.D.C. 2015) (citation omitted).

According to December 2025 statistics compiled by the Federal Judiciary, there was an average of 286 civil actions filed for each judge within this District in the preceding twelve months and each judge had, on average, 464 pending civil and criminal cases. U.S. Cts., *U.S. District Courts—Combined Civil and Criminal Federal Court Management Statistics 2* (Dec. 31, 2025), https://www.uscourts.gov/sites/default/files/document/fcms_na_distprofile1231.2025.pdf. In comparison, over the same time, there was an average of only 146 civil actions filed for each judge within the District of Hawai‘i and each judge had, on average, only 203 pending civil and criminal cases. *Id.* at 70.

In the twelve months preceding December 2025, the median time from filing to disposition of civil cases in this District was 7.3 months, while the median time from filing to trial for civil cases was 52.1 months. *Id.* at 2. In comparison, over that same time, the median time from filing to disposition of civil cases in the District of Hawai‘i was only 5.4 months. *Id.* at 70. The December 2025 report only included the median time from filing to trial in civil cases in

the District of Hawai‘i from 2022, when the median time was only 37.6 months. *Id.* In comparison, in 2022, the median time from filing to trial in civil cases in this District was 54.4 months. *Id.* at 2. Additionally, 22.1% of all civil cases (1,270 cases) in this District had been pending for over three years. *Id.* In comparison, only 8.9% of all civil cases (forty-four cases) in the District of Hawai‘i had been pending for over three years. *Id.* at 70.

Based on the publicly available statistics, the District of Hawai‘i is less congested than this District. Accordingly, this factor weighs in favor of transfer.

B. Transfer would avoid duplication of judicial resources and the possibility of inconsistent results.

In addition to the three public interest factors discussed above, this Court has often held that “[t]he interests of justice are better served when a case is transferred to the district where related actions are pending.” *Martin-Trigona v. Meister*, 668 F. Supp. 1, 3 (D.D.C. 1987) (citations omitted). In these instances, the interests of justice will be served by transferring a case in order to “avoid the duplication of judicial resources and possible inconsistent results.” *Ysleta del Sur Pueblo*, 731 F. Supp. 2d at 4; *Alaska*, 2025 WL 1730193, at *9 n.5 (“[T]he risk of inconsistent results caused by having related litigations decided in two different districts weighs in favor of transfer.” (citation omitted)). These considerations weigh in favor of transferring this case to the District of Hawai‘i.

Many of the issues raised, and likely to be raised, in this case share certain overarching thematic similarities with certain issues raised, and likely to be raised, in a pending case in the District of Hawai‘i: *Ryan v. Watson*, No. 1:26-cv-00270 (D. Haw.). *Ryan* challenges the constitutionality of the Native Hawaiian eligibility requirements to obtain Homestead Leases from the Department of Hawaiian Homelands, pursuant to the Hawaiian Homes Commission Act. The political status of Native Hawaiians and the federal government’s trust relationship with

and obligations to Native Hawaiians will likely be central issues in both this case and in *Ryan*. There is a real possibility “that this Court’s analysis could be inconsistent with that of the [District of Hawai‘i]’s or subsequent rulings by” the Ninth Circuit. *Ysleta del Sur Pueblo*, 731 F. Supp. 2d at 42. Accordingly, as this Court has previously held, “avoiding ‘the possibility of inconsistent results’ is in the interest of justice” and thus “tips the balance in favor of transfer.” *Id.* (quoting *Ledyard v. United States*, No. 95-cv-0880, 1995 WL 908244, at *2 (D.D.C. May 31, 1995)).

C. The private-interest factors support transfer to the District of Hawai‘i.

1. DNH’s choice of forum should not be entitled to deference because the District of Columbia is not its home district.

“A plaintiff’s choice of forum is ordinarily entitled to deference.” *Nat’l Ass’n of Homebuilders v. U.S. Env’t. Prot. Agency*, 675 F. Supp. 2d 173, 179 (D.D.C. 2009) (citation omitted). However, as this Court has repeatedly recognized, “that choice is conferred considerably less deference when it is not the plaintiff’s home forum.” *Alaska*, 2025 WL 1730193, at *9 (quoting *Bourdon v. U.S. Dep’t of Homeland Sec.*, 235 F. Supp. 3d 298, 305 (D.D.C. 2017)). Factors weighing against conferring deference to the plaintiff’s chosen forum include whether that forum “has few factual ties to the case at hand[.]” *Bourdon*, 235 F. Supp. 3d at 305 (citation omitted).

This District is not DNH’s home district. DNH resides in the District of Utah. *See* Compl. at 1. As such, DNH’s choice in forum should not be entitled to deference. Weighing against DNH’s choice in forum is the fact that the Scholarship Program is jointly administered by Papa Ola Lōkahi in the District of Hawai‘i and HRSA in the District of Maryland. As discussed above, Papa Ola Lōkahi administers its statutory responsibilities for the Scholarship Program from Hawai‘i, and the program benefits Native Hawaiians living in Hawai‘i by placing recipients into

one of the five Native Hawaiian health care systems or health professional shortage areas and medically underserved areas in Hawai‘i. Moreover, no allegations in the Complaint suggest that DNH or its Members A, B, and C have any connection to this District. DNH alleges that its members were harmed when they were informed that they were ineligible for the Scholarship Program. As discussed above, to the extent these allegations are true, Papa Ola Lōkahi helps screens applicants in Hawai‘i to determine whether they meet the statutory criteria for Scholarship eligibility.

The mere involvement of federal agencies or officials is not determinative for purposes of venue. To create a nexus with this District, a plaintiff must “demonstrate some ‘substantial personalized involvement by a member of the Washington, D.C.’ agency before the court can conclude that there are meaningful ties to the District of Columbia.” *S. Utah Wilderness Alliance v. Lewis*, 845 F. Supp. 2d 231, 235 (D.D.C. 2012) (quoting *S. Utah Wilderness Alliance v. Norton*, No. A 01-2518(CKK), 2002 WL 32617198, at *3 (D.D.C. June 28, 2002)). As this Court has repeatedly held, “if ‘the only real connection the lawsuit has to the District of Columbia is that a federal agency headquartered here is charged with generally regulating and overseeing the administrative process, venue is not appropriate in the District of Columbia.’” *Su v. U.S. Dep’t of Just.*, No. 1:25-cv-03412 (TNM), 2026 WL 904997, at *3 (D.D.C. Apr. 2, 2026) (quoting *Al-Ahmed*, 564 F. Supp. 2d at 19); see *Pres. Soc. of Charleston*, 893 F. Supp. 2d at 55 (“[T]he mere fact that a case concerns the application of a federal statute by a federal agency does not provide a sufficient nexus to the District of Columbia to weigh against transfer.” (citations omitted)).

The only allegation in DNH’s Complaint alleging any connection to this District is that “HHS and its Secretary reside in the District of Columbia[,]” Compl. ¶ 7; that “HHS and its Secretary also ‘perform a significant amount of their official duties’ in the District of

Columbia[.]” Compl. ¶ 7 (citations, brackets omitted); and that “[t]he Secretary is responsible for the administration and enforcement of the [Scholarship] Program.” Compl. ¶ 12. However, HHS and the Secretary do not administer the Scholarship Program. That authority has been delegated to HRSA. *See* 80 Fed. Reg. at 81,343. HRSA jointly administers the Scholarship Program with Papa Ola Lōkahi in Hawai‘i, makes the final selection of Scholarship recipients, and pays out the Scholarship awards. And HRSA is located in the District of Maryland, not the District of Columbia. Any connection DNH’s claim has to this District is through HHS’s and the Secretary’s general oversight of HRSA and the Scholarship Program. This connection is not substantial enough to weigh against transfer.

Ultimately, whether it is from this District or the District of Maryland, Defendants’ “degree of involvement” in the Scholarship Program—making the final selection of Scholarship recipients and paying out the scholarship funds—is not “substantial enough . . . to tip the scales against transfer.” *Alaska*, 2025 WL 1730193, at *10 (quotation marks, citation omitted). This is particularly so when weighed against Papa Ola Lōkahi’s statutory duties to screen, evaluate, and recommend applicants, place recipients after graduation, and provide recipients professional development support through their service placements. As such, while “some of the decisions regarding the [Scholarship Program] were made by federal decision-makers in the District of Columbia,[⁸] . . . the majority of events and decisions relevant to the claims underlying [DNH]’s lawsuit occurred in or around the [District of Hawai‘i].” *Niagara Pres., Coal., Inc. v. Fed. Energy Regul. Comm’n*, 956 F. Supp. 2d 99, 105 (D.D.C. 2013); *see Mazzarino v. Prudential Ins. Co. of Am.*, 955 F. Supp. 2d 24, 30 (D.D.C. 2013) (“Here, it is apparent that the parties, facts, and

⁸ Papa Ola Lōkahi does not concede that any decisions about the Scholarship Program made by federal decisionmakers occurred in this District as HRSA jointly administers the Scholarship Program from the District of Maryland.

claims in this case lack any significant connection to the District of Columbia.”). In sum, Plaintiff’s choice in forum should not be entitled to deference, and this factor weighs in favor of transfer.

2. Papa Ola Lōkahi’s preferred forum should be afforded deference.

A defendant’s preferred forum is not ordinarily entitled to deference. *See Renchard v. Prince William Marine Sales, Inc.*, 28 F. Supp. 3d 1, 11 (D.D.C. 2014). However, where, as here, the plaintiff’s choice of forum is comparably weak, “the weight of a defendant’s choice of forum may be strengthened[.]” *Virts v. Prudential Life Ins. Co. of Am.*, 950 F. Supp. 2d 101, 106 (D.D.C. 2013) (citation omitted). This is particularly the case when “the plaintiff is not a resident of this district[.]” and “[n]one of the underlying events giving rise to this claim took place in or around the District of Columbia.” *Mazzarino*, 955 F. Supp. 2d at 31.

The Scholarship Program is jointly administered by Papa Ola Lōkahi in Hawai‘i and benefits Native Hawaiians living in Hawai‘i by requiring recipients to work in one of the five Native Hawaiian health care systems or a health professional shortage area or medically underserved area in Hawai‘i after graduation. Over half of all Scholarship recipients continue to work in their service communities in Hawai‘i after their service periods end. The alleged conduct giving rise to this claim (the determination of statutory ineligibility of DNH’s members to submit applications) would have occurred in Hawai‘i because that is where Papa Ola Lōkahi helps screen whether applicants meet the statutory eligibility requirements and makes recommendations to HRSA regarding which applicants should receive scholarships.

The overall administration of the Scholarship Program and selection of scholarship recipients have no meaningful connections to this District. To be sure, HRSA jointly administers the Scholarship Program, but HRSA is located in the District of Maryland. The only connection

DNH’s claim has to this District is that HHS and the Secretary, who generally oversee HRSA and the Scholarship Program, are located here. As discussed above, this degree of involvement is not substantial enough to weigh against transferring this case to the District of Hawai‘i, where there are strong local interests in resolving this case at home. *See Su*, 2026 WL 904997, at *3; *cf. Pres. Soc. of Charleston*, 893 F. Supp. 2d at 55. Papa Ola Lōkahi “has ‘legitimate reasons’ for preferring the District of [Hawai‘i], as it has its headquarters and administers the [Scholarship Program] there.” *Id.* (quoting *Greater Yellowstone Coal. v. Bosworth*, 180 F. Supp. 2d 124, 129 (D.D.C. 2001)). Accordingly, Papa Ola Lōkahi’s preferred forum should be afforded deference making this factor weigh in favor of transfer.

3. The location where DNH’s alleged claim arose supports transfer to the District of Hawai‘i.

In evaluating where a claim arose, this Court considers “both the location of the decisionmaking process and the location of the impacts of the project[.]” *Wilderness Workshop v. Harrell*, 676 F. Supp. 3d 1, 7 (D.D.C. 2023) (citation omitted). As this Court has recently noted, “the localized impacts of th[e] action are most significant to the analysis of this factor.” *Alaska*, 2025 WL 1730193, at *10 (citation omitted). Indeed, the actions of federal “officials ‘are not magic acts that somehow transform a transferable case into an un-transferable one.’” *Id.* (citations omitted).

As discussed above, Papa Ola Lōkahi jointly administers the Program from Hawai‘i, not the District of Columbia. Moreover, the alleged actions most central to DNH’s claim—the determination that DNH’s members are statutorily ineligible for the Scholarship Program, *see* Compl. ¶¶ 31, 35—would have occurred in Hawai‘i, and not in the District of Columbia or, indeed, in the District of Maryland where HRSA is located. While HRSA makes the final selection of Scholarship Program recipients and processes the payment of Scholarship awards,

this small “degree of involvement” in overall managing the Scholarship Program is not “substantial enough . . . to tip the scales against transfer.” *Alaska*, 2025 WL 1730193, at *10 (quotation marks, citation omitted); *cf. Alaska Wilderness League*, 99 F. Supp. 3d at 121 (“[A]n official’s signature and promulgation of a rule might serve as data points militating against transfer, if the facts and circumstances surrounding these activities otherwise suggest that officials in Washington were significantly involved in the development of the rule.”).

Ultimately, “the impact of this case will be felt primarily – and more likely exclusively – in [Hawai‘i].” *Alaska*, 2025 WL 1730193, at *8. Any changes to the Scholarship Program will affect the fulfillment of the United States’s trust responsibility “to raise the health status of Native Hawaiians” and “to provide existing Native Hawaiian health care programs with all resources necessary to effectuate this policy[.]” *in Hawai‘i*. 42 U.S.C. § 11702(a)(1)–(2). DNH’s requested relief, if granted, would change the eligibility requirements for individuals who would ultimately be paced in health care jobs in Hawai‘i and thus change the provision of health care to Native Hawaiians in Hawai‘i. Moreover, “the issues of law relate solely to” the constitutionality of the United States’s provision services to Native Hawaiians in Hawai‘i, *Alaska*, 2025 WL 1730193, at *10, based on the United States’s unique legal and trust relationship with Native Hawaiians. 42 U.S.C. §§ 11701(19)–(20), 11702(a). DNH’s claim arose in Hawai‘i and the impacts of any decision in this case will be felt nearly exclusively in Hawai‘i. This factor therefore weighs in favor of transfer.

4. The convenience of the Parties supports transfer to the District of Hawai‘i.

“In order for the burden suffered by a party from litigating in a particular forum to weigh in favor of transfer, litigation in the transferee district must not merely shift inconvenience to the non-moving party; instead, it should lead to increased convenience overall.” *Mazzarino*, 955 F.

Supp. 2d at 31. The District of Hawai‘i is significantly more convenient for Papa Ola Lōkahi than this District, while the District of Hawai‘i is not meaningfully more inconvenient to DNH than this District. This factor therefore weighs in favor of transfer.

Papa Ola Lōkahi is significantly burdened by having to litigate this case in this District. The District of Columbia is roughly 4,800 miles away from Honolulu, where Papa Ola Lōkahi is located and jointly administers the Scholarship Program. Travel between Honolulu and the District of Columbia is extraordinarily difficult and expensive. *See US Dominion, Inc. v. Powell*, 554 F. Supp. 3d 42, 70 (D.D.C. 2021) (noting the ease with which the various parties could travel to the District of Columbia and the proposed transferee district in considering this factor). There is only one direct flight between Honolulu and the District of Columbia area, and it does not operate year-round or daily, making travel between the two cities a nine-and-a-half to sixteen hour journey usually requiring at least one layover.⁹ In comparison, there are multiple daily, year-round direct flights between Salt Lake City and the District of Columbia’s three airports, with travel time barely exceeding four hours.¹⁰

⁹ *Compare Direct (Non-Stop) Flights from Honolulu to Dulles*, FlightsFrom.com, <https://www.flightsfrom.com/HNL-IAD> (last accessed July 9, 2026), with *Flights from Honolulu to Dulles – Direct & Connecting Routes*, FlightsFrom.com, <https://www.flightroutes.com/HNL-IAD#1stop-routes-same-airlines> (last accessed July 9, 2026), and *Flights from Honolulu to Washington – Direct & Connecting Routes*, FlightsFrom.com, <https://www.flightroutes.com/HNL-DCA> (last accessed July 9, 2026), and *Flights from Honolulu to Baltimore – Direct & Connecting Routes*, FlightsFrom.com, <https://www.flightroutes.com/HNL-BWI> (last accessed July 9, 2026).

¹⁰ *Compare Flights from Salt Lake City to Dulles – Direct & Connecting Routes*, FlightsFrom.com, <https://www.flightroutes.com/SLC-IAD> (last accessed July 9, 2026), with *Flights from Salt Lake City to Washington – Direct & Connecting Routes*, FlightsFrom.com, <https://www.flightroutes.com/SLC-DCA> (last accessed July 9, 2026), and *Flights from Salt Lake City to Baltimore – Direct & Connecting Routes*, FlightsFrom.com, <https://www.flightroutes.com/SLC-BWI> (last accessed July 9, 2026).

If this case was transferred to the District of Hawai‘i, Papa Ola Lōkahi’s current burden would be mitigated and DNH would not be meaningfully more inconvenienced, since it has already chosen to litigate this case in a district other than its home district. Specifically, there are daily non-stop flights from Salt Lake City to Honolulu that take under seven hours (as opposed to the roughly four-hour flights to the District of Columbia).¹¹ “Because [Hawai‘i] is more convenient for [Papa Ola Lōkahi] and only slightly more inconvenient for the plaintiff over the District of Columbia,” transferring this case to the District of Hawai‘i “would not merely shift convenience from one party to another but rather would result in a net increase in convenience for the parties.” *Mazzarino*, 955 F. Supp. 2d. at 31. Thus, this factor weighs in favor of transfer.

5. The convenience of likely witnesses supports transfer to the District of Hawai‘i.

As discussed above, if witnesses are called, the District of Hawai‘i “would clearly be most convenient” and “[DNH]’s witnesses would only be slightly more inconvenienced by the necessity of traveling to [Hawai‘i] instead of the District of Columbia.” *Mazzarino*, 955 F. Supp. 2d at 32. Papa Ola Lōkahi anticipates that most of the witnesses it, or DNH, might call in this case (other than DNH’s members identified in the Complaint) would likely reside within the District of Hawai‘i. To the extent DNH claims that it would be inconvenient for it and its members to travel to Hawai‘i, DNH is headquartered in Utah and not the District of Columbia, and its Complaint makes no allegations regarding the residencies of its Members A, B, and C. Moreover, DNH’s Complaint states that Member A would “find the opportunity to provide medical care in Hawaii [sic] deeply meaningful[.]” Compl. ¶ 29; that Member B “would welcome the opportunity to bring his skills to serve the needy in Hawaii [sic.]” Compl. ¶ 33; and

¹¹ See *Flights from Salt Lake City to Honolulu – Direct & Connecting Routes*, FlightsFrom.com, <https://www.flightroutes.com/SLC-HNL> (last accessed July 9, 2026).

that Member C “would cherish the chance to bring her skills to Hawaii [sic].” Compl. ¶ 34. DNH and its members should, therefore, have no concerns traveling to Hawai‘i, as opposed to the District of Columbia, to litigate this case. Thus, transfer to the District of Hawai‘i would not be any more inconvenient for them than maintaining this case in this District while, on the other hand, being significantly more convenient for Papa Ola Lōkahi and its witnesses. This factor weighs in favor of transfer.

6. Access to sources of proof supports transfer to the District of Hawai‘i.

For the same reasons, the District of Hawai‘i is clearly a more convenient forum for access to sources of proof. Considering how the Scholarship Program, including its service obligation, is administered, Papa Ola Lōkahi anticipates that if there is discovery in this case, the majority of discoverable materials likely lie in Hawai‘i. *See Mazzarino*, 955 F. Supp. 2d at 32. Even if discoverable materials lie outside the District of Hawai‘i, this Court has noted that “the location of documents has been made increasingly insignificant by the availability of electronic discovery.” *Holland v. ACL Transp. Servs., LLC*, 815 F. Supp. 2d 46, 58 (D.D.C. 2011). Accordingly, transfer to the District of Hawai‘i will not undermine the ability of parties to access any additional discoverable materials located in this or other districts. This factor weighs in support of transfer.

CONCLUSION

For the foregoing reasons, the Court should grant Papa Ola Lōkahi’s motion to transfer this case to the District of Hawai‘i.

RESPECTFULLY SUBMITTED this 14th day of July, 2026.

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**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

DO NO HARM,
Plaintiff,

v.

UNITED STATES DEPARTMENT OF
HEALTH AND HUMAN SERVICES *et al.*,
Defendants,

and

PAPA OLA LŌKAHI,
Intervenor-Defendant.

Case No. 1:26-cv-01602-LLA

[PROPOSED] ORDER

Before this Court is Intervenor-Defendant Papa Ola Lōkahi's Motion to Transfer this case to the United States District Court for the District of Hawai'i. Having considered the briefing and finding all requirements of 28 U.S.C. § 1404(a) met,

IT IS HEREBY ORDERED that Intervenor-Defendant Papa Ola Lōkahi's Motion to Transfer is GRANTED. The Clerk of the Court is directed to transfer this case to the United States District Court for the District of Hawai'i forthwith.

IT IS FURTHER ORDERED that all deadlines in this case are VACATED.

DATED this _____ day of _____, 2026.

Hon. Loren L. AliKhan, District Judge
UNITED STATES DISTRICT COURT