

## Publication

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### DOJ Seeks to Reinstate Corporate Transparency Act

On February 5, 2025, the Department of Justice (DOJ) filed a notice of appeal and motion for stay of the injunction against enforcement of the Corporate Transparency Act (CTA) issued by the Eastern District of Texas in *Smith v. United States Department of the Treasury*. Given the Supreme Court's stay of a similar injunction in *Texas Top Cop Shop, Inc., v. Merrick Garland*, it appears to be likely that the stay in the *Smith* case will be granted. If the stay is granted, the CTA reporting requirements will again be in effect.

In its motion to stay the injunction in the *Smith* case, the DOJ indicated that if the court grants the stay such that the reporting requirements will again be effective, "FinCEN intends to announce that it will extend the compliance deadline for thirty (30) days."

The DOJ also indicated in its motion that, if the stay is granted, during the 30-day filing extension: "FinCEN will assess whether it is appropriate to modify the CTA's

reporting requirements to alleviate the burden on low-risk entities while prioritizing enforcement to address the most significant risks to U.S. national security."

Although the CTA reporting deadlines are currently paused, the granting of a stay in *Smith* could reinstate the reporting requirements at any time, which would result in a new, 30-day filing deadline.

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