

UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
FORT WORTH DIVISION

**Braidwood Management Inc., et al.,**

Plaintiffs,

v.

**Robert F. Kennedy Jr., et al.,**

Defendants.

Case No. 4:20-cv-00283-O

**UNOPPOSED MOTION FOR ENTRY OF FINAL JUDGMENT**

After careful consideration, the plaintiffs have decided against filing an amended complaint and respectfully move for the Court to enter final judgment in accordance with the Supreme Court's ruling in *Kennedy v. Braidwood Management Inc.*, 606 U.S. 748 (2025). A proposed final judgment is attached. We have conferred with counsel for the defendants and they are unopposed to this motion as well as the contents of the proposed final judgment.

Respectfully submitted.

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Dated: December 16, 2025

*Counsel for Plaintiffs*

**CERTIFICATE OF CONFERENCE**

I certify that I e-mailed Christopher M. Lynch, counsel for the defendants on December 16, 2025, and he informed me that the defendants are unopposed to this motion and the contents of the proposed final judgment.

/s/ Jonathan F. Mitchell  
JONATHAN F. MITCHELL  
*Counsel for Plaintiffs*

**CERTIFICATE OF SERVICE**

I certify that on December 16, 2025, I served this document through CM/ECF

upon:

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**[PROPOSED] AMENDED FINAL JUDGMENT**

It is **ORDERED, ADJUDGED, and DECREED** that:

- 1) All claims of Joel Miller and Gregory Scheideman in the above-entitled and numbered cause are hereby **DISMISSED without prejudice** for lack of subject-matter jurisdiction.
- 2) The Advisory Committee on Immunization Practices (ACIP) and the Health Resources and Services Administration (HRSA) do not, on the record in this case, violate Article II's Appointments clause. Therefore, Braidwood Management Inc., Kelley Orthodontics, John Kelley, Joel Starnes, Zach Maxwell, and Ashley Maxwell's (remaining Plaintiffs) **Claim No. 1** as it pertains to ACIP and HRSA is **DISMISSED with prejudice** to the re-filing of same or any part thereof.
- 3) The plaintiffs' Appointments Clause challenges to the recommendations of the U.S. Preventive Services Task Force's (PSTF) are **DISMISSED with prejudice** on the authority of the Supreme Court's decision in *Kennedy v. Braidwood Management Inc.*, 606 U.S. 748 (2025).
- 4) 42 U.S.C. § 300gg-13(a)(1)–(a)(4) do not violate the nondelegation doctrine. Therefore, remaining Plaintiffs' **Claim No. 2** is **DISMISSED with prejudice** to the re-filing of same or any part thereof.
- 5) The operation of 42 U.S.C. § 300gg-13(a)(1) does not violate Article II's Vesting Clause. Therefore, remaining Plaintiffs' **Claim No. 3** is

**DISMISSED with prejudice** to the re-filing of same or any part thereof.

- 6) Remaining Plaintiffs' **Claim No. 4** is **DISMISSED with prejudice** to the re-filing of same or any part thereof for failure to state a claim upon which relief may be granted.
- 7) The PrEP mandate violates remaining Plaintiffs' rights under the Religious Freedom Restoration Act and is therefore **DECLARED** unlawful as applied to those Plaintiffs. As such, remaining Plaintiffs need not comply with the PrEP mandate and the Court **ENJOINS** Defendants and their officers, agents, servants, and employees from implementing or enforcing the PrEP mandate as against these Plaintiffs.
- 8) All costs shall be paid by the party incurring the same.
- 9) All relief not expressly granted herein is denied.

The Clerk of Court is **DIRECTED** to close the above-captioned case.

**SO ORDERED** on this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Dated: \_\_\_\_\_

\_\_\_\_\_  
REED O'CONNOR  
UNITED STATES DISTRICT JUDGE