

**UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
SOUTHERN DIVISION**

STATE OF TENNESSEE, *et al.*,

Plaintiffs,

v.

ROBERT F. KENNEDY, JR., in his official  
capacity as Secretary of the United States  
Department of Health and Human  
Services, *et al.*,

Defendants.

No. 1:24-cv-00161-LG-BWR

**DEFENDANTS' CROSS-MOTION TO DISMISS**

Pursuant to Rule 12 of the Federal Rules of Civil Procedure, Defendants respectfully request that the Court dismiss the Complaint in its entirety, as Plaintiffs fail to establish that their claims are ripe for review under Article III. The grounds for this request are set forth more fully in the accompanying memorandum of law. A proposed order has been e-mailed to chambers, consistent with the Court's Administrative Procedures for Electronic Case Filing, § 5.B.

Dated: May 21, 2025

Respectfully submitted,

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/s/ Sarah M. Suwanda  
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