

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NORTH DAKOTA

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<p>The State of KANSAS, <i>et al.</i>,</p> <p style="text-align: center;">Plaintiffs,</p> <p>v.</p> <p>UNITED STATES OF AMERICA and the CENTERS FOR MEDICARE &amp; MEDICAID SERVICES,</p> <p style="text-align: center;">Defendants,</p> <p>v.</p> <p>CLAUDIA MOYA LOPEZ, <i>et al.</i>,</p> <p style="text-align: center;">Intervenors.</p>	<p style="text-align: right;">Civil Action No. 1:24-cv-00150-DMT-CRH</p>
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**JOINT STATUS REPORT**

The Parties submit this joint status report pursuant to the Court's November 18, 2025, order. ECF 214.

On December 9, 2024, this Court issued a preliminary injunction and stay of Defendants' Final Rule. ECF 117 ("Order"). On December 12, 2024, Defendants notified the Court they were appealing the Order in the Eighth Circuit Court of Appeals. The Eighth Circuit dismissed that appeal on October 1, 2025, following a joint stipulation by the parties. ECF 206. On January 15, 2025, this case was stayed pending resolution of the appeal; the stay was lifted on November 18, 2025. ECF 142, 214.

On June 25, 2025 the Department of Health and Human Services published a final rule, *Patient Protection and Affordable Care Act; Marketplace Integrity and Affordability*, which, among other things, reverses the challenged rule and excludes DACA recipients from the ACA. 90 Fed. Reg.

27074. *See id.* at 27098 (“we are finalizing this policy as proposed to modify the definition of “lawfully present” at §155.20 used for the purpose of determining whether a consumer is eligible to enroll in a QHP through an Exchange... which excludes DACA recipients.”). The rule became effective on August 25, 2025, and remains in effect. Accordingly, the Parties agree that Plaintiffs’ claims are now moot.

As this case is now moot, Plaintiffs intend to file a notice of voluntary dismissal, under Fed. R. Civ. P. 41(a)(1)(A)(i). No further proceedings are contemplated by the parties.

Dated: December 1, 2025

Respectfully submitted,

KRIS W. KOBACH  
Attorney General of Kansas

/s/ James R. Rodriguez

James R. Rodriguez, Kan. SC No. 29172  
Assistant Attorney General  
Kansas Office of the Attorney General  
Topeka, Kansas 66612-1597  
Phone: (785) 368-8197  
Email: [jay.rodriguez@ag.ks.gov](mailto:jay.rodriguez@ag.ks.gov)  
Counsel for the State of Kansas

BRETT A. SHUMATE  
Assistant Attorney General

/s/ Eric Beckenhauer

Eric B. Beckenhauer, Cal. Bar No. 237526  
Assistant Director  
U.S. Department of Justice  
Civil Division, Federal Programs Branch  
1100 L St. NW Washington, DC 20005  
(202) 514-3338  
(202) 616-8470 (fax)  
[eric.beckenhauer@usdoj.gov](mailto:eric.beckenhauer@usdoj.gov)  
Counsel for Defendants

*/s/ Matthew S. Rozen*

Matthew S. Rozen (VA Bar No. 85871)  
John Matthew Butler (D.C. Bar No. 1721350)  
GIBSON, DUNN & CRUTCHER LLP  
1700 M Street, N.W.  
Washington, D.C. 20036  
[mrozen@gibsondunn.com](mailto:mrozen@gibsondunn.com)  
[mbutler@gibsondunn.com](mailto:mbutler@gibsondunn.com)  
Telephone: 202.955.8500  
Facsimile: 202.467.0539

Betty X. Yang (TX Bar No. 24088690)  
GIBSON, DUNN & CRUTCHER LLP  
2001 Ross Avenue Suite 2100  
Dallas, TX 75201  
[byang@gibsondunn.com](mailto:byang@gibsondunn.com)  
Telephone: 214.698.3100  
Facsimile: 214.571.2900

Tanya Broder (pro hac vice)  
NATIONAL IMMIGRATION LAW CENTER  
3450 Wilshire Blvd. Suite 108 – 62  
Los Angeles, CA 90010  
[broder@nilc.org](mailto:broder@nilc.org)  
Telephone: 213.639.3900  
Facsimile: 213.639.3911

Joanna E. Cuevas Ingram (pro hac vice)  
Hilda Bonilla (pro hac vice)  
NATIONAL IMMIGRATION LAW CENTER  
P.O. Box 34573  
Washington, DC 20043  
[cuevasingram@nilc.org](mailto:cuevasingram@nilc.org)  
[bonilla@nilc.org](mailto:bonilla@nilc.org)  
Telephone: 202.216.0261  
Facsimile: 202.216.0266  
*Counsel for Intervenors*

CERTIFICATE OF SERVICE

This is to certify that on this 1st day of December, 2025, I electronically filed the above and foregoing document with the Clerk of the Court using the CM/ECF system, which will send a notice of electronic filing to all counsel of record.

/s/ James R. Rodriguez  
James R. Rodriguez, Kan. SC No. 29172  
Assistant Attorney General  
Counsel for the State of Kansas