

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

The State of KANSAS, <i>et al.</i> ,  Plaintiffs,  v.  UNITED STATES OF AMERICA and the CENTERS FOR MEDICARE & MEDICAID SERVICES,  Defendants,  v.  CLAUDIA MOYA LOPEZ, <i>et al.</i> ,  Intervenors.	Civil Action No. 1:24-cv-00150-DMT-CRH
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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,

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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

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