

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION**

STATE OF MISSOURI,

*Plaintiff,*

v.

U.S. DEPARTMENT OF HEALTH AND  
HUMAN SERVICES, *et al.*,

*Defendants.*

Case No. 4:25-cv-00077-JAR

**STIPULATION OF VOLUNTARY DISMISSAL PURSUANT TO F.R.C.P. 41(a)(1)(A)(ii)**

On June 18, 2025, in a parallel case, the United States District Court for the Northern District of Texas issued a judgment vacating the Final Rule at issue here. *See Purl v. HHS*, No. 24-cv-00228, ECF 111 (N.D. Tex. June 18, 2025). Though Defendants did not appeal the judgment, a group of proposed intervenors filed a protective Notice of Appeal. *Id.*, ECF 120 (N.D. Tex. Aug. 15, 2025). On September 4, 2025, the proposed intervenors moved to dismiss that appeal. *Purl v. HHS*, No. 25-10743, Mot. to Dismiss (5th Cir. Sept. 4, 2025). The Fifth Circuit dismissed that appeal on September 10, 2025. *Id.*, Order (5th Cir. Sept. 10, 2025).

In light of the forgoing, IT IS HEREBY STIPULATED AND AGREED by and between the parties and/or their respective counsel(s) that the above-captioned action is voluntarily dismissed, without prejudice against Defendants U.S. Department of Health and Human Services and Robert F. Kennedy, Jr., in his official capacity as Secretary of the U.S. Department of Health and Human Services, pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii).

Dated: September 14, 2025

Respectfully submitted,

**CATHERINE L. HANAWAY**  
ATTORNEY GENERAL

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**CERTIFICATE OF SERVICE**

I certify that on September 14, 2025, a true and accurate copy of the foregoing document was electronically filed through the Court's CM/ECF System and that a copy of the foregoing will be sent via email to all parties by operation of the Court's electronic filing system, consistent with Federal Rule of Civil Procedure 5(b).

/s/ Reed C. Dempsey

*Counsel for Plaintiff State of Missouri*