

# United States Court of Appeals For the First Circuit

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No. 25-1343

COMMONWEALTH OF MASSACHUSETTS; DANA NESSEL, on behalf of the people of the State of Michigan; STATE OF ILLINOIS; STATE OF ARIZONA; STATE OF CALIFORNIA; STATE OF CONNECTICUT; STATE OF COLORADO; STATE OF HAWAII; STATE OF MAINE; STATE OF MARYLAND; STATE OF MINNESOTA; STATE OF NEVADA; STATE OF NEW JERSEY; STATE OF DELAWARE; STATE OF NEW MEXICO; STATE OF NEW YORK; STATE OF NORTH CAROLINA; STATE OF OREGON; STATE OF RHODE ISLAND; STATE OF VERMONT; STATE OF WASHINGTON; STATE OF WISCONSIN,

Plaintiffs - Appellees,

v.

NATIONAL INSTITUTES OF HEALTH; JAY BHATTACHARYA, M.D., Ph.D. in their official capacity as Director of the National Institutes of Health; U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES (HHS); ROBERT F. KENNEDY, JR., in their official capacity as Secretary of the U.S. Department of Health and Human Services,

Defendants - Appellants.

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No. 25-1344

ASSOCIATION OF AMERICAN MEDICAL COLLEGES; THE AMERICAN ASSOCIATION OF COLLEGES OF PHARMACY; THE ASSOCIATION OF SCHOOLS AND PROGRAMS OF PUBLIC HEALTH; THE CONFERENCE OF BOSTON TEACHING HOSPITALS, INC.; GREATER NEW YORK HOSPITAL ASSOCIATION,

Plaintiffs - Appellees,

v.

NATIONAL INSTITUTES OF HEALTH; JAY BHATTACHARYA, M.D., Ph.D. in their official capacity as Director of the National Institutes of Health; U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES (HHS); ROBERT F. KENNEDY, JR., in their official capacity as Secretary of the U.S. Department of Health and Human Services,

Defendants - Appellants.

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ASSOCIATION OF AMERICAN UNIVERSITIES; AMERICAN COUNCIL ON  
EDUCATION; ASSOCIATION OF PUBLIC AND LAND-GRANT UNIVERSITIES;  
BRANDEIS UNIVERSITY; BROWN UNIVERSITY; CARNEGIE MELLON UNIVERSITY;  
THE REGENTS OF THE UNIVERSITY OF CALIFORNIA; THE UNIVERSITY OF  
CHICAGO; CORNELL UNIVERSITY; THE GEORGE WASHINGTON UNIVERSITY;  
JOHNS HOPKINS UNIVERSITY; MASSACHUSETTS INSTITUTE OF TECHNOLOGY;  
TRUSTEES OF THE UNIVERSITY OF PENNSYLVANIA; UNIVERSITY OF ROCHESTER;  
TRUSTEES OF TUFTS COLLEGE; THE CALIFORNIA INSTITUTE OF TECHNOLOGY,

Plaintiffs - Appellees,

v.

DEPARTMENT OF HEALTH AND HUMAN SERVICES; NATIONAL INSTITUTES OF  
HEALTH; ROBERT F. KENNEDY, JR., in their official capacity as Secretary of the U.S.  
Department of Health and Human Services; JAY BHATTACHARYA, M.D., Ph.D. in their  
official capacity as Director of the National Institutes of Health,

Defendants - Appellants.

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**ORDER OF COURT**

Entered: April 23, 2025

This matter is before the court on a "Consent Motion to Expedite Briefing and Oral Argument" filed by defendants-appellants. The motion is resolved as follows. Briefing in this matter will proceed on the following schedule:

- defendants-appellants' opening brief should be filed by May 9, 2025;
- plaintiffs-appellees' response brief(s) should be filed by June 9, 2025<sup>1</sup>;
- any reply brief should be filed by July 1, 2025.

If oral argument ultimately is deemed necessary, it will be held as soon as practicable following the completion of briefing.

By the Court:

Anastasia Dubrovsky, Clerk

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<sup>1</sup> The deadline for the response brief(s) reflects a one-day deviation from the schedule proposed in the motion.

cc:

Donald Campbell Lockhart  
Abraham R George  
Jeffrey Eric Sandberg  
Courtney Dixon  
Thomas W. Ports Jr.  
Brian Lea  
Kevin P. VanLandingham  
Marcus S. Sacks  
Katherine B. Dirks  
Allyson T. Slater  
Chris Pappavaselio  
Linus Banghart-Linn  
Joshua S. Smith  
Alex Hemmer  
R. Sam Horan  
Joshua Bendor  
Daniel Ambar  
Emilio Eugene Varanini IV  
Sophia TonNu  
Michael Kenneth Skold  
Shannon Wells Stevenson  
Kathleen Jennings  
David Dana Day  
Kalikoonalani Diara Fernandes  
Thomas A. Knowlton  
Adam D. Kirschner  
Elizabeth C. Kramer  
Heidi Parry Stern  
Matthew J. Platkin  
Anjana Samant  
Molly Thomas-Jensen  
Daniel Paul Mosteller  
Christina L. Beatty-Walters  
Jordan Broadbent  
Jonathan T. Rose  
Spencer Wade Coates  
Ellen E. Range  
Aaron Bibb  
Cody R. Hart  
Derrill J. Fussell  
Eric M. Gold  
Adam N. Cederbaum  
Jonathan Benjamin Miller