

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

AMERICAN PUBLIC HEALTH
ASSOCIATION, *et al.*,

Plaintiffs,

v.

NATIONAL INSTITUTES OF HEALTH, *et al.*,

Defendants.

Case No. 1:25-cv-10787

**ASSENTED-TO MOTION FOR PROTECTIVE ORDER AND
JOINT MOTION TO SET A BRIEFING SCHEDULE ON
PLAINTIFFS' MOTION FOR PRELIMINARY INJUNCTION**

On April 25, 2025, plaintiffs filed their Motion for Preliminary Injunction (ECF No. 37) and Motion for Protective Order regarding Certain Organizational Declarants (ECF No. 39). Before filing the Motion for Preliminary Injunction, the Court had entered orders allowing Plaintiffs 40 pages for their Memorandum in Support of Plaintiffs' Motion for Preliminary Injunction (ECF No. 29) and granting a Motion to Seal the declarations of Certain Organizational Declarants from public filing (ECF No. 36). At the time of filing the Motion for Preliminary Injunction, the parties had not reached agreement on the proposed protective order.

Counsel for plaintiffs and defendants have continued to confer, and all parties have now agreed to the proposed protective order, attached as **Exhibit A** to this motion.

In addition, the parties have agreed to the following proposed schedule (and proposed page limits) for preliminary injunction proceedings:

Event	Date	Memo. Page Limit
Plaintiffs' Motion and Supporting Papers	Filed Friday April 25, 2025	40 pages
Transmission of unsealed declarations to Court and Defendants	Within one day of the entry of proposed protective order	
Defendants' Opp. and Supporting Papers	Due Monday, May 12, 2025	40 pages
Plaintiffs' Reply	Due Monday, May 19, 2025	20 pages
Motion Hearing Requested	Thursday, May 22, 2025, or at the Court's earliest convenience thereafter.	

Plaintiffs respectfully move the Court to enter the attached agreed-upon protective order. The parties jointly request that the Court enter the foregoing agreed-upon schedule, including the associated page limits and requested hearing date.

In light of the parties' agreement as described above, if the Court enters the agreed, proposed protective order attached as Exhibit A, plaintiffs withdraw their Motion for Protective Order (ECF No. 39).

Dated: May 2, 2025

Respectfully submitted,

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United States Attorney

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Counsel for Plaintiffs

* *Admitted pro hac vice*

** *Application for admission forthcoming*

LOCAL RULE 7.1 CERTIFICATION

Counsel for Plaintiffs hereby certifies that they conferred with counsel for the Defendants regarding this motion and Defendants have assented to the Motion for Protective Order and agreed to the Joint Motion to set a Briefing Schedule.

May 2, 2025

/s/ Jessie J. Rossman
Jessie J. Rossman

CERTIFICATE OF SERVICE

I hereby certify that on May 2, 2025 a true copy of the above document was filed via the Court's CM/ECF system and that a copy will be sent automatically to all counsel of record.

May 2, 2025

/s/ Jessie J. Rossman
Jessie J. Rossman