

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-WGY

**JOINT STATUS REPORT**

Counsel for the parties in the above-captioned case have conferred regarding the upcoming hearing on Plaintiffs' Motion for Preliminary Injunction, scheduled for May 22, 2025 at 11:00 AM. *See* ECF No. 64. The parties submit this Joint Status Report and hereby state and propose the following:

1. On April 25, 2025, Plaintiffs filed their Motion for Preliminary Injunction (ECF No. 37). Defendants filed their opposition on May 12, 2025 (ECF No. 66) and Plaintiffs will file their reply in support of their motion on May 19, 2025. This Court has set a hearing on Plaintiffs' Motion for Preliminary Injunction for May 22, 2025 at 11:00 AM (ECF No. 64).
2. Both parties are prepared to argue the Motion for Preliminary Injunction during the May 22, 2025 hearing.
3. This case is related to another matter before the Court: *Commonwealth of Massachusetts, et al., v. Kennedy, Jr., et al.*, Case No. 1:25-cv-10814.

4. In light of this Court's approach taken during the May 12, 2025 hearing in *Commonwealth of Massachusetts, et al., v. Kennedy Jr., et al.*, and the consolidation under Fed. R. Civ. P. 65(a)(2) of the States' motion for preliminary injunction with a hearing on the merits of certain claims in that matter, the parties in *American Public Health Association v. National Institutes of Health* have agreed to also be prepared to discuss scheduling and case management considerations at the May 22, 2025 hearing in this matter if the Court would wish to do so.
5. In seeking to discuss this matter's case management at the May 22, 2025 hearing, neither party waives any arguments or rights with respect to bringing or defending against Plaintiffs' pending Motion for Preliminary Injunction.

Dated: May 16, 2025

Respectfully submitted,

LEAH B. FOLEY  
United States Attorney

By: /s/ Anuj Khetarpal  
Anuj Khetarpal  
Assistant United States Attorney  
United States Attorney's Office  
1 Courthouse Way, Suite 9200  
Boston, MA 02210  
Tel.: 617-748-3658  
Email: Anuj.Khetarpal@usdoj.gov

*Counsel for Defendants*

/s/ Jessie J. Rossman  
Jessie J. Rossman (BBO # 670685)  
Suzanne Schlossberg (BBO #703914)  
**American Civil Liberties Union  
Foundation of Massachusetts, Inc.**  
One Center Plaza, Suite 850  
Boston, MA 02108  
Telephone: (617) 482-3170  
jrossman@aclum.org  
sschlossberg@aclum.org

Olga Akselrod\*  
Alexis Agathocleous\*  
Rachel Meeropol\*  
Alejandro Ortiz\*  
**American Civil Liberties Union Foundation**  
125 Broad Street, 18th Floor  
New York, NY 10004  
Telephone: (212) 549-2659  
oakselrod@aclu.org  
aagathocleous@aclu.org  
rmeeropol@aclu.org

ortiza@aclu.org

Shalini Goel Agarwal\*  
shalini.agarwal@protectdemocracy.org  
**Protect Democracy Project**  
2020 Pennsylvania Ave., NW, Ste. 163  
Washington, DC 20006  
Telephone: (202) 579-4582  
shalini.agarwal@protectdemocracy.org

Michel-Ange Desruisseaux\*  
82 Nassau Street, #601  
New York, NY 10038  
Michel-  
ange.desruisseaux@protectdemocracy.org

Kenneth Parreno\*\*  
15 Main Street, Suite 312  
Watertown, MA 02472  
kenneth.parreno@protectdemocracy.org

Lisa S. Mankofsky\*  
Oscar Heanue\*  
**Center for Science in the Public Interest**  
1250 I St., NW, Suite 500  
Washington, DC 20005  
Telephone: (202) 777-8381  
lmankofsky@cspinet.org  
oheanue@cspinet.org

*Counsel for Plaintiffs*

\* *Admitted pro hac vice*

\*\* *Application for admission pending*

**CERTIFICATE OF SERVICE**

I hereby certify that on May 16, 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 16, 2025

/s/ Suzanne Schlossberg  
Suzanne Schlossberg