

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

AMERICAN PUBLIC HEALTH
ASSOCIATION, *et al.*,

Plaintiffs,

v.

NATIONAL INSTITUTES OF
HEALTH, *et al.*,

Defendants.

No. 1:25-cv-10787-WGY

JOINT PROPOSAL AND STIPULATION CONCERNING PHASE TWO SCHEDULE

At the July 28, 2025 status conference in the above case, the Court set the Final Pretrial Conference for APHA Plaintiffs' Phase 2 claims for September 2, 2025 and a Bench Trial to begin no later than September 15, 2025. Having met and conferred, APHA Plaintiffs and Defendants jointly request that the Court to adopt the following interim deadlines for the Phase 2 schedule:

Event	Date
Defendants' deadline to produce certification described in ECF No. 163 for APHA Applications List and NOFO List ¹	August 19, 2025
Final Pretrial Conference/Motion to Dismiss Hearing	September 2, 2025
Parties' opening pretrial briefs due	September 4, 2025
Deadline for APHA Plaintiffs to produce supplemental spreadsheet of applications and NOFOs ("Supplemental List")	September 5, 2025
Parties' responsive pretrial briefs due	September 11, 2025
Bench trial on Phase 2	September 15, 2025

¹ The APHA Applications List was previously produced to Defendants on June 30, 2025, and the NOFO List was produced to Defendants on July 29, 2025.

The Parties stipulate that if the Court adopts the schedule proposed above, Plaintiffs waive the right to seek an additional administrative record or certifications related to the applications or NOFOs on that Supplemental List, or to seek any extra-record discovery, provided that the certification Defendants produce on August 19, 2025 complies with terms set forth in ECF No. 163. The Parties further stipulate that if the Court adopts the schedule proposed above, any judgment as to the Phase 2 claims will also apply to the applications and NOFOs identified on the September 5 Supplemental List.

Dated: August 1, 2025

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CERTIFICATE OF SERVICE

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF).

Dated: August 1, 2025

/s/ Suzanne Schlossberg
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