

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIRST CIRCUIT

COMMONWEALTH OF MASSACHUSETTS *et al.*,

*Plaintiffs-Appellees (No. 25-1343),*

ASSOCIATION OF AMERICAN MEDICAL  
COLLEGES *et al.*,

*Plaintiffs-Appellees (No. 25-1344),*

ASSOCIATION OF AMERICAN UNIVERSITIES *et al.*,

*Plaintiffs-Appellees (No. 25-1345),*

v.

NATIONAL INSTITUTES OF HEALTH *et al.*,

*Defendants-Appellants.*

Nos. 25-1343,  
25-1344,  
25-1345

**OPPOSITION TO PLAINTIFFS-APPELLEES'  
MOTION TO ENLARGE TIME FOR FILING THEIR BRIEFS**

Defendants-appellants National Institutes of Health *et al.* oppose plaintiffs-appellees' motion for an extension of time. The parties previously agreed to an expedited schedule for these appeals that included specific proposed deadlines, which this Court adopted in substantial part in its April 23 order. Plaintiffs-appellees' motion identifies no good cause for departing from that previously agreed expedited schedule. The federal government asks that this Court maintain the current expedited briefing schedule and schedule oral

argument for the Court's earliest opportunity, preferably for the Court's regularly scheduled sitting in July.

In the event that this Court is nonetheless inclined to grant plaintiffs-appellees' requested one-week extension, the government requests that the deadline for its reply brief be correspondingly moved from July 1, 2025 to July 8, 2025, so that the government is not prejudiced in its ability to respond. The government in all events continues to request that the Court schedule oral argument at the earliest available date.

Respectfully submitted,

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June 3, 2025

## **CERTIFICATE OF COMPLIANCE**

I hereby certify that this response complies with the type-volume limit of Fed. R. App. P. 27(d)(2)(A) because it contains 168 words, according to the count of Microsoft Word. The filing complies with Fed. R. App. P. 27(d)(1)(E) because it has been prepared in 14-point Calisto MT, a proportionally spaced typeface.

/s/ Jeffrey E. Sandberg  
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Counsel for Defendants-Appellants

## **CERTIFICATE OF SERVICE**

I hereby certify that on June 3, 2025, I electronically filed this response with the Clerk of Court for the United States Court of Appeals for the First Circuit by using the appellate CM/ECF system. The participants in this case are registered CM/ECF users, and service will be accomplished by the appellate CM/ECF system.

/s/ Jeffrey E. Sandberg  
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