

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

**HARRIS COUNTY, TEXAS, et al.,**

*Plaintiffs,*

v.

**ROBERT F. KENNEDY, JR.,** in his official  
capacity as Secretary of Health  
and Human Services, *et al.,*

*Defendants.*

Case No. 1:25-cv-01275-CRC

**PLAINTIFFS’ NOTICE OF D.C. CIRCUIT’S EN BANC DECISION IN *WIDAKUSWARA***

Plaintiffs seek to advise the Court of the decision of the D.C. Circuit issued yesterday in *Widakuswara v. Lake*, where the en banc court granted reconsideration and vacatur with respect to the portion of the panel’s stay of the district court’s preliminary injunction, which had required the US Agency for Global Media to restore grants to certain news networks. Order, Nos. 25-5150, 25-5151, Doc. #2117911, at 2 (D.C. Cir. May 28, 2025). The en banc court also denied the government’s motion for a stay pending appeal. *Id.* As the D.C. Circuit specifically highlighted regarding the district court’s jurisdiction to hear claims relating to the termination of grant funding, “substantially for the reasons explained by Judge Pillard, *see* Pet. Add., Nos. 25-5150 & 25-5151, at 19–42 (Pillard, J., dissenting), the government has not made the requisite ‘strong showing’ of a likelihood of success on the merits of its appeals in these cases.” *Id.* (citing *Nken v. Holder*, 556 U.S. 418, 434 (2009)). This decision by the D.C. Circuit en banc reinforces this Court’s jurisdiction to grant a preliminary injunction in this case and supports Plaintiffs’ arguments that preliminary injunctive relief is warranted here.

Dated: May 29, 2025

Respectfully submitted,

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