

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

PRESIDENT AND FELLOWS OF
HARVARD COLLEGE,

Plaintiff,

v.

UNITED STATES DEPARTMENT OF
HEALTH AND HUMAN SERVICES, et al.,

Defendants.

Case No. 1:25-cv-11048-ADB

JOINT STATUS REPORT

Plaintiff and Defendants submit this joint status report pursuant to this Court's October 9, 2025, order directing the parties to file a status report by October 17, 2025. *See* ECF 245. The parties have reached agreement on a proposed final judgment, which is attached as Exhibit A. The parties respectfully request that the Court enter final judgment, substantially in the form of Exhibit A, at this time. Defendants reserve any and all rights to appeal the final judgment.

Dated: October 17, 2025

Respectfully submitted,

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**Admitted Pro Hac Vice*

CERTIFICATE OF SERVICE

Counsel for Plaintiff certify that they have submitted the foregoing document with the clerk of court for the District of Massachusetts, using the electronic case filing system of the Court. Counsel for Plaintiff hereby certify that they have served all parties electronically or by another manner authorized by Fed. R. Civ. P. 5(b)(2).

/s/ Steven P. Lehotsky

Steven P. Lehotsky

Exhibit A

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Plaintiff,

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UNITED STATES DEPARTMENT OF
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Defendants.

Case No. 1:25-cv-11048-ADB

[PROPOSED] ORDER ENTERING FINAL JUDGMENT

In accordance with the Court’s Memorandum and Order dated September 3, 2025, it is hereby ORDERED, ADJUDGED, and DECREED as follows:

1. Judgment is entered for Plaintiff on its claims under the Administrative Procedure Act for violations of the First Amendment to the Constitution of the United States and Title VI of the Civil Rights Act of 1964. Judgment is also entered for Plaintiff on its claims under the Administrative Procedure Act insofar as they challenge the April 14 and May 5, 2025, Freeze Orders as arbitrary and capricious.
2. Judgment is entered for Defendants, as set forth in the Memorandum and Order, on Plaintiff’s ultra vires claims, and on its claim under the Administrative Procedure Act that the Termination Letters are arbitrary and capricious for lack of subject matter jurisdiction.
3. The Freeze Orders and Termination Letters¹ are VACATED and SET ASIDE as set forth

¹ “Termination Letters” refers to: the May 6, 2025, Termination Letter from the National Institutes of Health; the May 9, 2025, Termination Letter from the United States Department of Agriculture; the May 9, 2025, Termination Letter from the National Aeronautics and Space

in the Memorandum and Order.

4. Defendants, their agents, and all those acting in concert with them are PERMANENTLY ENJOINED from implementing, instituting, maintaining, or giving effect to the Freeze Orders and Termination Letters, or any conditions imposed therein, and from issuing further terminations, freezes, stop work orders, refusals to award grants or contracts, or withholdings of funding to Harvard in retaliation for the exercise of First Amendment rights, or on purported grounds of discrimination without compliance with Title VI.
5. The Court expressly reserves jurisdiction over the issue of attorney's fees and costs. Any motion for attorney's fees shall be filed in accordance with Federal Rule of Civil Procedure 54(d).

SO ORDERED.

Allison D. Burroughs
United States District Judge

Date _____

Administration; the May 12, 2025, Termination Letter from the Department of Commerce; the May 12, 2025, Termination Letter from the Department of Defense; the May 12, 2025, Termination Letter from the Department of Energy; the May 12, 2025, Termination Letter from the Department of Housing and Urban Development; the May 12, 2025, Termination Letter from the National Science Foundation; the May 12, 2025, Termination Letter from the Department of Education; the May 19, 2025, Termination Letter from the Centers for Disease Control and Prevention; the May 20, 2025, announcement by the Department of Health and Human Services to cut multi-year grants; and the May 27, 2025, Termination Letter from the General Services Administration.