

UNITED STATES DISTRICT COURT
DISTRICT OF RHODE ISLAND

STATE OF COLORADO, *et al.*,

Plaintiffs,

v.

U.S. DEPARTMENT OF HEALTH
AND HUMAN SERVICES, *et al.*,

Defendants.

Civil Action No.
25cv121-MSM-AEM

JOINT MOTION FOR STAY OF ALL CASE DEADLINES

The parties, by and through their undersigned counsel, respectfully move the Court to enter a stay of all case deadlines for 50 days (*i.e.*, up through and including Monday, January 30, 2026). As outlined below, good cause exists to grant such a stay:

1. On April 1, 2025, Plaintiffs filed this case (ECF 1) and moved for a temporary restraining order (ECF 4), which the Court entered by text order on April 3, 2025, as well as on April 5, 2025 (ECF 54). Plaintiffs amended their complaint on April 8, 2025. ECF 59. The parties then filed initial and supplemental briefs concerning the Plaintiffs' preliminary-injunction motion between April 8 and 24, 2025. ECF 60, 68, 69, 80, 81.

2. On May 16, 2025, the Court granted Plaintiffs' motion for a preliminary injunction. ECF 84. Defendants have notified the Court (ECF 85) of their compliance with the Court's Preliminary Injunction Order, which remains in force through today.

3. The Defendants presently have until December 12, 2025, to respond to the Complaint. Text Order (Oct. 27, 2025).

4. "It is beyond cavil that . . . federal district courts possess the inherent power to stay pending litigation when the efficacious management of court

dockets reasonably requires such intervention.” *Marquis v. FDIC*, 965 F.2d 1148, 1154 (1st Cir. 1992). “Of course, stays cannot be cavalierly dispensed: there must be good cause for their issuance; they must be reasonable in duration; and the court must ensure that competing equities are weighed and balanced.” *Id.* at 1155.

5. Good cause exists to grant the requested stay in this action. The parties have conferred in good faith and are actively working to negotiate, and then to present to the Court, a proposed schedule to allow for:

- a. Defendant to produce the Administrative Record;
- b. The parties to consider a reasonable schedule for briefing on cross-motions for summary judgment upon achieving a mutual understanding of the Administrative Record’s contents;
- c. A potential stay (beyond the stay requested herein) of the Defendant’s obligation to answer Plaintiffs’ Amended Complaint pending the Court’s ruling on summary judgment.

6. The parties also are engaged in active discussions about potential ways to minimize the burden, review, and production of the Administrative Record through a possible, negotiated stipulation. The parties will continue those discussions during the proposed stay.

7. A stay of 50 days is reasonable in duration. Aside from the December 12, 2025, deadline in this case, no other deadlines have yet been established in this case given its early preliminary posture.

8. Finally, the competing equities support issuance of a stay. As noted above, the parties jointly move for this stay. Consistent with the Court’s previous balancing of the equities when adjudicating the Plaintiffs’ Motion for a Preliminary Injunction, the Court’s order granting that Motion will remain in effect

during the pendency of a stay. Issuance of the stay will also conserve the parties' resources and those of the Court.

WHEREFORE, the parties respectfully request that the Court enter an order (1) staying further proceedings in this case and (2) instructing the parties to file a joint status report on January 30, 2026, that will advise the Court of the parties' views on what further proceedings (and their proposed schedule) may be necessary to secure the just, speedy, and inexpensive determination of this action.

Dated: December 12, 2025

Respectfully submitted,

**U.S. DEPARTMENT OF HEALTH
AND HUMAN SERVICES; ROBERT F. KENNEDY, JR.**, in his official capacity as Secretary of Health and Human Services,

By their attorneys,

SARA MIRON BLOOM
First Assistant United States
Attorney

/s/ Kevin Bolan
KEVIN BOLAN
Assistant U.S. Attorney
One Financial Plaza, 17th Floor
Providence, RI 02903
401.709.5029
kevin.bolan@usdoj.gov

PHILIP J. WEISER
Attorney General of Colorado

By: /s/ David Moskowitz
David Moskowitz*
Deputy Solicitor General
Sam Wolter*
Assistant Attorney General
1300 Broadway, #10
Denver, CO 80203
(720) 508-6000
David.Moskowitz@coag.gov
Samuel.Wolter@coag.gov

Counsel for the State of Colorado

PETER F. NERONHA
Attorney General of Rhode Island

By: /s/ Sarah W. Rice
Sarah W. Rice (RI Bar No. 10465)
Deputy Chief, Public Protection Bureau
Assistant Attorney General
Keith Hoffmann (RI Bar No. 9874)
Chief of Policy
Assistant Attorney General
Julia Harvey (RI Bar No. 10529)
Special Assistant Attorney General
150 South Main Street
Providence, RI 02903
(401) 274-4400, Ext. 2054
srice@riag.ri.gov
khoffmann@riag.ri.gov
jharvey@riag.ri.gov

Counsel for the State of Rhode Island

ROB BONTA

Attorney General of California

By: /s/ Crystal Adams

Neli Palma*

Senior Assistant Attorney General

Crystal Adams*

Anna Rich**

Deputy Attorneys General

1300 I Street

Sacramento, CA 95814

(916) 210-7522

Counsel for the State of California

NICHOLAS W. BROWN

Attorney General of Washington

By: /s/ Ellen Range

Ellen Range*

Assistant Attorney General

Office of the Washington State Attorney General

General

7141 Cleanwater Drive SW

P.O. Box 40111

Olympia, WA 98504-0111

(360) 709-6470

Ellen.Range@atg.wa.gov

Cristina Sepe*

Deputy Solicitor General

1125 Washington Street SE

PO Box 40100

Olympia, WA 98504-0100

(360) 753-6200

Cristina.Sepe@atg.wa.gov

Counsel for the State of Washington

KEITH ELLISON

Attorney General of Minnesota

By: /s/ Brian S. Carter

Brian S. Carter*

Jennifer Moreau*

Assistant Attorneys General

445 Minnesota Street, Suite 1400

St. Paul, Minnesota, 55101

(651) 300-7403

Brian.Carter@ag.state.mn.us

Jennifer.Moreau@ag.state.mn.us

Counsel for the State of Minnesota

KRISTIN K. MAYES

Attorney General of Arizona

By: /s/ Mary M. Curtin

Mary M. Curtin*

Senior Litigation Counsel

Arizona Attorney General's Office

2005 North Central Avenue

Phoenix, Arizona 85004

(602) 542-3333

Mary.Curtin@azag.gov

Counsel for the State of Arizona

WILLIAM TONG

Attorney General of Connecticut

By: /s/ Andrew Ammirati
Andrew Ammirati*
Assistant Attorney General
165 Capitol Avenue
Hartford, CT 06106
Phone: (860) 808 5090
Andrew.Ammirati@ct.gov

Counsel for the State of Connecticut

BRIAN L. SCHWALB

Attorney General for the District of
Columbia

By: /s/ Samantha Miyahara Hall
Samantha Miyahara Hall*
Assistant Attorney General
Public Advocacy Division
Office of the Attorney General for the
District of Columbia
400 Sixth Street, N.W.
Washington, D.C. 20001
(202) 788-2081
Samantha.hall@dc.gov

Counsel for the District of Columbia

KATHLEEN JENNINGS

Attorney General of Delaware

By: /s/ Vanessa L. Kassab
Ian R. Liston**
Director of Impact Litigation
Vanessa L. Kassab**
Deputy Attorney General
Delaware Department of Justice
820 N. French Street
Wilmington, DE 19801
(302) 683-8899
vanessa.kassab@delaware.gov

Counsel for the State of Delaware

ANNE E. LOPEZ

Attorney General of Hawai'i

By: /s/ Kaliko'onālani D. Fernandes
David D. Day*
Special Assistant to the Attorney
General
Kaliko'onālani D. Fernandes*
Solicitor General
425 Queen Street
Honolulu, HI 96813
(808) 586-1360
kaliko.d.fernandes@hawaii.gov

Counsel for the State of Hawai'i

KWAME RAOUL
Attorney General of Illinois

By: /s/ John Hazinski
John Hazinski*
Assistant Attorney General
Office of the Illinois Attorney General
115 S. LaSalle St.
Chicago, IL 60603
(773) 590-6944
john.hazinski@ilag.gov

Counsel for the State of Illinois

AARON M. FREY
Attorney General of Maine

By: /s/ Margaret Machaiek
Margaret Machaiek*
Assistant Attorney General
Office of the Attorney General
6 State House Station
Augusta, ME 04333-0006
Tel.: 207-626-8800
Fax: 207-287-3145

Counsel for the State of Maine

ANDREA JOY CAMPBELL
Attorney General of Massachusetts

By: /s/ Katherine B. Dirks
Katherine B. Dirks*
Chief State Trial Counsel
Phoebe Lockhart*
Assistant Attorney General
1 Ashburton Pl.
Boston, MA 02108
(617.963.2277)
katherine.dirks@mass.gov
phoebe.lockhart@mass.gov

Counsel for the Commonwealth of Massachusetts

OFFICE OF THE GOVERNOR ex rel. ANDY BESHEAR
in his official capacity as Governor of the Commonwealth of Kentucky

By: /s/ Travis Mayo
S. Travis Mayo*
General Counsel
Taylor Payne*
Chief Deputy General Counsel
Laura C. Tipton*
Deputy General Counsel
Kentucky Office of the Governor
700 Capitol Avenue, Suite 106
Frankfort, KY 40601
(502) 564-2611
travis.mayo@ky.gov
taylor.payne@ky.gov
laurac.tipton@ky.gov

Counsel for the Office of the Governor

ANTHONY G. BROWN
Attorney General of Maryland

By: /s/ James C. Luh
James C. Luh*
Senior Assistant Attorney General
Office of the Attorney General
200 Saint Paul Place, 20th Floor
Baltimore, Maryland 21202
410-576-6411
jlüh@oag.state.md.us

Counsel for the State of Maryland

DANA NESSEL
Attorney General of Michigan

By: /s/ Jennifer M. Jackson
Jennifer M. Jackson (P67126)*
Carl Hammaker (P81203)*
Assistant Attorneys General
Michigan Department of Attorney General
Attorneys for State of Michigan
525 W. Ottawa St.
Lansing, MI 48933-1067
517.335.7573
jacksonj5@michigan.gov
hammakerc@michigan.gov

Counsel for the State of Michigan

AARON D. FORD

Attorney General of Nevada

By: /s/ Heidi Parry Stern
Heidi Parry Stern (Bar. No. 8873)*
Solicitor General
Office of the Nevada Attorney General
1 State of Nevada Way, Ste. 100
Las Vegas, NV 89119
HStern@ag.nv.gov

Counsel for the State of Nevada

RAÚL TORREZ

Attorney General of New Mexico

By: /s/ Anjana Samant
Anjana Samant*
Deputy Counsel
New Mexico Department of Justice
408 Galisteo Street
Santa Fe, New Mexico 87501
asamant@nmdoj.gov
(505) 270-4332

Counsel for the State of New Mexico

JEFF JACKSON

Attorney General of North Carolina

By: /s/ Daniel P. Mosteller
Daniel P. Mosteller*
Associate Deputy Attorney General
Laura Howard
Chief Deputy Attorney General
North Carolina Department of Justice
PO Box 629
Raleigh, NC 27602
919-716-6026
dmosteller@ncdoj.gov

Counsel for State of North Carolina

MATTHEW J. PLATKIN

Attorney General of New Jersey

By: /s/ Jessica L. Palmer
Jessica L. Palmer*
Anaiis Gonzales*
Deputy Attorneys General
Office of the Attorney General
124 Halsey Street, 5th Floor
Newark, NJ 07101
(609) 696-4607
Jessica.Palmer@law.njoag.gov
Anaiis.Gonzales@law.njoag.gov

Counsel for the State of New Jersey

LETITIA JAMES

Attorney General of New York

By: /s/ Rabia Muqaddam
Rabia Muqaddam*
Special Counsel for Federal Initiatives
Gina Bull*
Assistant Attorney General
28 Liberty St.
New York, NY 10005
(929) 638-0447 rabia.muqaddam@ag.ny.gov
gina.bull@ag.ny.gov

Counsel for the State of New York

DAN RAYFIELD

Attorney General of Oregon

By: /s/ Deanna J. Chang
Deanna J. Chang*
Senior Assistant Attorney General
100 SW Market Street
Portland, OR 97201
(971) 673-1880
Deanna.J.Chang@doj.oregon.gov

Counsel for the State of Oregon

JOSH SHAPIRO

in his official capacity as Governor of
the Commonwealth of Pennsylvania

Jennifer Selber
General Counsel

By: /s/ Aimee D. Thomson

Aimee D. Thomson*
Jonathan D. Koltash*
Deputy General Counsel
Pennsylvania Office of the Governor
30 N. 3rd St., Suite 200
Harrisburg, PA 17101
(223) 234-4986
aimeethomson@pa.gov
jokoltash@pa.gov

Counsel for Governor Josh Shapiro

**Admitted pro hac vice*

***Pending pro hac vice applications to
be filed*

JOSHUA L. KAUL

Attorney General of Wisconsin

By: /s/ Lynn K. Lodahl

Lynn K. Lodahl*
Assistant Attorney General
17 West Main Street
Post Office Box 7857
Madison, Wisconsin 53707-7857
(608) 264-6219
lodahlk@doj.state.wi.us

Counsel for the State of Wisconsin

CERTIFICATE OF SERVICE

I hereby certify that, on December 12, 2025, I filed the foregoing document through this Court's Electronic Case Filing (ECF) system, thereby serving it upon all registered users in accordance with Federal Rule of Civil Procedure 5(b)(2)(E) and Local Rule Gen 304.

/s/ Kevin Bolan

KEVIN BOLAN
Assistant U.S. Attorney