

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF RHODE ISLAND

STATE OF NEW YORK, et al.,

Plaintiffs,

v.

ROBERT F. KENNEDY, JR., in his official
capacity as SECRETARY OF THE U.S.
DEPARTMENT OF HEALTH & HUMAN
SERVICES, et al.,

Defendants.

Civil Action No. 1:25-cv-00196

DEFENDANTS' MOTION TO SET EXPEDITED BRIEFING SCHEDULE

Defendants have moved the Court to vacate or, in the alternative, stay its July 1, 2025, preliminary injunction in light of the Supreme Court's recent entry of stays pending appeal in *McMahon v. New York*, 606 U.S. ___, 2025 WL 1922626 (July 14, 2025) (Mem.), and *Trump v. Am. Fed'n of Gov't Emps.*, 606 U.S. ___, 2025 WL 1873449 (July 8, 2025) (Mem.). See ECF No. 78. Defendants have requested expedited consideration with a decision by July 28, 2025. To facilitate the Court's expedited consideration of that motion, Defendants respectfully request entry of a briefing schedule under which Plaintiffs would respond to Defendants' motion on or before Monday, July 21, 2025, and Defendants would file a reply in support of their motion, if any, on or before Wednesday, July 23, 2025.

Good cause supports entry of Defendants' requested briefing schedule, as this schedule would permit the careful but expeditious presentation of the issues necessary to allow the Court a reasonable opportunity for expedited consideration prior to July 28, 2025. Resolution of Defendants' motion by July 28 could obviate the need for future appellate and Supreme Court review in this posture.

Dated: July 17, 2025

BRETT A. SHUMATE
Assistant Attorney General
Civil Division

ERIC J. HAMILTON
Deputy Assistant Attorney General

CHRISTOPHER R. HALL
Assistant Branch Director
Civil Division, Federal Programs Branch

/s/ Elizabeth Hedges
ELIZABETH HEDGES
Counsel to the Assistant Attorney General
Civil Division
950 Pennsylvania Ave NW
Washington, DC 20530
Telephone: (202) 616-0929
Email: Elizabeth.T.Hedges@usdoj.gov

Counsel for Defendants