

United States Court of Appeals For the First Circuit

No. 25-1612

COMMONWEALTH OF MASSACHUSETTS; STATE OF CALIFORNIA; STATE OF MARYLAND; STATE OF WASHINGTON; STATE OF ARIZONA; STATE OF COLORADO; STATE OF DELAWARE; STATE OF HAWAII; STATE OF MINNESOTA; STATE OF NEVADA; STATE OF NEW JERSEY; STATE OF NEW MEXICO; STATE OF NEW YORK; STATE OF OREGON; STATE OF RHODE ISLAND; STATE OF WISCONSIN,

Plaintiffs - Appellees,

v.

ROBERT F. KENNEDY, JR., in their official capacity as Secretary of Health and Human Services; UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES; JAY BHATTACHARYA, in their official capacity as Director of the National Institutes of Health; NATIONAL INSTITUTES OF HEALTH; NATIONAL CANCER INSTITUTE; NATIONAL EYE INSTITUTE; NATIONAL HEART LUNG & BLOOD INSTITUTE; NATIONAL HUMAN GENOME RESEARCH INSTITUTE; NATIONAL INSTITUTE ON AGING; NATIONAL INSTITUTE ON ALCOHOL ABUSE & ALCOHOLISM; NATIONAL INSTITUTE OF ALLERGY & INFECTIOUS DISEASES; NATIONAL INSTITUTE OF ARTHRITIS & MUSCULOSKELETAL & SKIN DISEASES; NATIONAL INSTITUTE OF BIOMEDICAL IMAGING & BIOENGINEERING; EUNICE KENNEDY SHRIVER NATIONAL INSTITUTE OF CHILD HEALTH & HUMAN DEVELOPMENT; NATIONAL INSTITUTE ON DEAFNESS & OTHER COMMUNICATION DISORDERS; NATIONAL INSTITUTE OF DENTAL & CRANIOFACIAL RESEARCH; NATIONAL INSTITUTE OF DIABETES & DIGESTIVE AND KIDNEY DISEASES; NATIONAL INSTITUTE ON DRUG ABUSE; NATIONAL INSTITUTE OF ENVIRONMENTAL HEALTH SCIENCES; NATIONAL INSTITUTE OF GENERAL MEDICAL SCIENCES; NATIONAL INSTITUTE OF MENTAL HEALTH; NATIONAL INSTITUTE ON MINORITY HEALTH & HEALTH DISPARITIES; NATIONAL INSTITUTE OF NEUROLOGICAL DISORDERS & STROKE; NATIONAL INSTITUTE OF NURSING RESEARCH; NATIONAL LIBRARY OF MEDICINE; NATIONAL CENTER FOR ADVANCING TRANSLATIONAL SCIENCES; JOHN E. FOGARTY INTERNATIONAL CENTER FOR ADVANCED STUDY IN THE HEALTH SCIENCES; NATIONAL CENTER FOR COMPLEMENTARY & INTEGRATIVE HEALTH; NIH CENTER FOR SCIENTIFIC REVIEW,

Defendants - Appellants.

Before

Montecalvo, Kayatta, and Rikelman,
Circuit Judges.

ORDER OF COURT

Entered: July 4, 2025

This matter is before the court on defendants-appellants' "Time Sensitive Motion for Stay Pending Appeal and Immediate Administrative Stay." The request for immediate relief is **DENIED**. We note, though, that defendants-appellants filed their motion the day after the district court had entered a promised memorandum reflecting its legal reasoning, and our denial of immediate relief therefore is not based on the timing of relevant filings. In any event, the court intends to rule on the broader request for stay relief as soon as practicable once the motion has been briefed. Plaintiffs-appellees should respond to the stay motion by 5:00 p.m. on Tuesday, July 8, 2025. Any reply should be filed by 5:00 p.m. on Wednesday, July 9, 2025. The court then will address the stay request as soon as practicable.

By the Court:

Anastasia Dubrovsky, Clerk

cc:

David C. Kravitz, Rachel M. Brown, Katherine B. Dirks, Vanessa Arslanian, Gerard J. Cedrone, Allyson T. Slater, Phoebe Lockhart, Chris Pappavaselio, Ketakee Rajiv Kane, Daniel Ambar, Emilio Eugene Varanini IV, Sophia TonNu, Hilary Ann Burke Chan, Kathleen Boergers, Nimrod Pitsker Elias, James C. Luh, Andrew R.W. Hughes, Tyler S. Roberts, Joshua Nomkin, Shannon Wells Stevenson, Lauren Kelsey Peach, Vanessa L. Kassab, Ian R. Liston, David Dana Day, Kalikoonalani Diara Fernandes, Elizabeth C. Kramer, Judith Vale, Peter J. Farrell, Heidi Parry Stern, Bryce Kelly Hurst, Nancy Trasande, Astrid Carrete, Rabia Muqaddam, Molly Thomas-Jensen, Robert A. Koch, Christina L. Beatty-Walters, Jordan Broadbent, Lynn Kristine Lodahl, Donald Campbell Lockhart, Abraham R. George, Anuj K. Khetarpal, Thomas W. Ports Jr., Benjamin C. Wei, Amish Aajay Shah, Stephanie A. Webster