

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

AMERICAN ACADEMY OF PEDIATRICS,
et al.,

Plaintiffs,

v.

ROBERT F. KENNEDY, JR., *et al.*,

Defendants.

Case No. 1:25-cv-11916-WGY

**Defendants' Unopposed Motion for a Stay of Their Reply Deadline
in Light of Lapse of Appropriations**

Defendants hereby move for a stay of the deadline to file their reply in support of their motion to discuss in the above-captioned case.

1. At the end of the day on September 30, 2025, the appropriations act that had been funding the Department of Justice expired and those appropriations to the Department lapsed. The same is true for the majority of other Executive agencies, including the defendant agencies in this case. The Department does not know when such funding will be restored by Congress.

2. Absent an appropriation, many Department of Justice attorneys and employees of the defendant agencies are prohibited from working, even on a voluntary basis, except in very limited circumstances, including “emergencies involving the safety of human life or the protection of property.” 31 U.S.C. § 1342.

3. Undersigned counsel for Defendants therefore requests a stay of Defendants’ deadline to file their reply in support of their motion to dismiss, currently set for October 3, 2025, until Congress has restored appropriations to the Department.

4. If this motion for a stay is granted, undersigned counsel will notify the Court as soon as Congress has appropriated funds for the Department. Defendants request that, at that point, the deadline for their reply be extended commensurate with the duration of the lapse in appropriations—i.e., the deadline would be extended by the total number of days of the lapse in appropriations.

5. The undersigned counsel conferred with counsel for Plaintiffs, who stated that Plaintiffs do not oppose this motion.

Therefore, although we greatly regret any disruption caused to the Court and the other litigants, Defendants hereby move for a stay of the deadline to file their reply in support of their motion to dismiss until the Department of Justice can resume its usual civil litigation functions.

October 1, 2025

Respectfully submitted,

/s/ Isaac C. Belfer

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Counsel for Defendants

LOCAL RULE 7.1 CERTIFICATE

Per Local Rule 7.1, counsel for Defendants state that they conferred with counsel for Plaintiffs by email on October 1, 2025, and counsel for Plaintiffs stated that they do not oppose this motion.

/s/ Isaac C. Belfer

Isaac C. Belfer

CERTIFICATE OF SERVICE

I hereby certify that this document, filed through the CM/ECF system, will be sent via electronic mail to the registered participants as identified on the Notice of Electronic Filing.

October 1, 2025

/s/ Isaac C. Belfer
Isaac C. Belfer