

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

AMERICAN ACADEMY OF PEDIATRICS,
et al.,

Plaintiffs,

vs.

ROBERT F. KENNEDY, JR., in his official
capacity as Secretary of the Department of Health
and Human Services; *et al.*,

Defendants.

Case No. 1:25-cv-11916 (BEM)

District Judge: Hon. Brian E. Murphy

NOTICE OF FILING

TO: COUNSEL OF RECORD

PLEASE TAKE NOTICE that the undersigned counsel of record for the Plaintiffs filed the attached declaration per the Court's order of July 23, 2026.

Dated: July 27, 2026

Respectfully submitted,

By: /s/ James J. Oh

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CERTIFICATE OF SERVICE

I hereby certify that this document and the declaration filed simultaneously herewith were filed and served through the ECF system upon the following parties on this 27th day of July 2026:

1. Robert F. Kennedy, Jr., in his official capacity as Secretary of Health and Human Services;
2. Kyle Diamantas, in his official capacity as Acting Commissioner of the Food and Drug Administration; and
3. Jay Bhattacharya, MD, PhD, in his official capacity as Acting Director Centers for Disease Control and Prevention, c/o:

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James J. Oh

EXHIBIT

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DECLARATION OF JAMES J. OH

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the following is true and correct:

I am lead trial counsel for Plaintiffs in the above-titled action and file this declaration per the Court's order of July 23, 2026, that ordered Plaintiffs to file a declaration confirming that anyone to whom Plaintiffs' counsel had sent documents that were filed on the public record that Defendants alleged were filed in violation of the protective order because they allegedly contained Confidential Information as defined in the protective order have been destroyed by the recipients of those documents and anyone else to whom they were sent. I hereby confirm that my firm sent the documents in question only to firm clients, all of whom confirm compliance with the Court's order. Plaintiffs disagree that they committed any violation of the protective order in this case.

I declare under penalty of perjury that the foregoing is true and correct.

/s/ James J. Oh

James J. Oh