

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

AMERICAN ACADEMY OF PEDIATRICS, AMERICAN COLLEGE OF PHYSICIANS, INC., AMERICAN PUBLIC HEALTH ASSOCIATION, INFECTIOUS DISEASES SOCIETY OF AMERICA, MASSACHUSETTS PUBLIC HEALTH ASSOCIATION D/B/A MASSACHUSETTS PUBLIC HEALTH ALLIANCE, SOCIETY FOR MATERNAL-FETAL MEDICINE, THE MASSACHUSETTS CHAPTER OF THE AMERICAN ACADEMY OF PEDIATRICS, JANE DOE 1, JANE DOE 2, and JANE DOE 3,

Plaintiffs,

vs.

ROBERT F. KENNEDY, JR., in his official capacity as Secretary of the Department of Health and Human Services; UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES; JIM O'NEILL, in his official capacity as Acting Director of Centers for Disease Control and Prevention; CENTERS FOR DISEASE CONTROL AND PREVENTION; and DOES 1-50, inclusive,

Defendants.

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

**JOINT STATUS REPORT
REGARDING FEBRUARY 13, 2026
HEARING**

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In a January 30, 2026 Order (ECF No. 190), the Court bifurcated Plaintiffs' motion for preliminary injunction and set the first evidentiary hearing for February 13, 2026 on (i) Plaintiffs' challenges to the January 5, 2026 changes to the CDC childhood immunization schedule ("January 2026 CDC Childhood Schedule Change") and (ii) the February 25-27, 2026 ACIP meeting

(“February ACIP Meeting”). The Court also ordered (ECF No. 176) the parties to file a “status report regarding prospective evidence and length of hearing.” The parties, through counsel, met and conferred on February 6, 2026, and state that neither Plaintiffs nor Defendants will call witnesses to testify live at the hearing on February 13, 2026. Both parties intend to rely on their briefs and documentary evidence at the hearing. Plaintiffs reserve two (2) hours to address issues (i) and (ii) above. Defendants believe that, since the hearing will involve only attorney argument, a two-hour hearing would be more than sufficient to address the issues presented, but defer to the Court regarding how long of a hearing would be helpful. The parties defer to the Court on the order in which the issues should be argued.

Plaintiffs reserve the right to update this Joint Status Report after receiving Defendants’ Opposition to the Motion for Preliminary Injunction, due today.

Plaintiffs’ Additional Statement

After filing their Motion for Preliminary Injunction (ECF 183) and supporting Memorandum (ECF 184), Plaintiffs discovered that their Memorandum of Law In Support of Their Motion For Preliminary Injunction contained a few case citation errors. Plaintiffs apologize for and regret the errors. Plaintiffs’ counsel conferred with counsel for Defendants, and Defendants do not object to Plaintiffs’ Motion for Leave to File A Corrected Memorandum of Law In Support of Their Motion for Preliminary Injunction.

Respectfully submitted,

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Respectfully submitted,

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Dated: February 9, 2026

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CERTIFICATE OF SERVICE

I hereby certify that this document was filed and served through the ECF system upon the following parties on this 9th day of February 2026:

Robert F. Kennedy, Jr., in his official capacity as Secretary of Health and Human Services Jim O'Neill, in his official capacity as Acting Director Centers for Disease Control and Prevention

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