

**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

**PLAINTIFFS' STATEMENT
REGARDING POSTPONEMENT OF
NEXT ACIP MEETING**

Defendants filed a notice (ECF 257) that the next meeting of the Advisory Committee on Immunization Practices scheduled for February 25-27, 2026, has been postponed. No date has been set for the rescheduled ACIP meeting, and a spokesperson at the U.S. Department of Health and Human Services has stated only that “Further information will be shared as available.”¹

¹ https://www.cnn.com/2026/02/19/health/cdc-vaccine-advisory-committee-meeting-cancelled-for-next-week?Date=20260219&Profile=CNN&utm_content=1771529935&utm_medium=social&utm_source=twitter

Plaintiffs submit that the postponement of the next ACIP meeting injects more confusion, uncertainty, and dysfunction into the American healthcare system and is additional evidence of Defendants creating a moving target. Further, postponement of the ACIP meeting is not relevant to the question of Plaintiffs' likelihood of success on the merits of whether the current ACIP was constituted in violation of the Federal Advisory Committee Act. Plaintiffs recognize that their urgent prosecution of this case has put the Court in the uncomfortable position of deciding significant issues in a short period of time and appreciate that the Court scheduled the first stage of the bifurcated preliminary injunction hearing in time to make a decision about whether the February 25-27 ACIP meeting should be enjoined. The fact, however, that Defendants have postponed the meeting and moved the goalposts again, in an apparent attempt to delay a decision from this Court, heightens the urgency that the claims in Plaintiffs' Fourth Amended Complaint and their Motion for Preliminary Injunction be decided as soon as practicable.

Dated: February 19, 2026

Respectfully submitted,

By: /s/ James J. Oh

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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 19th 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
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