

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

STATE OF CALIFORNIA, *et al.*,

Plaintiffs,

v.

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

Defendants.

Case No. 1:25-cv-12019-NMG

**NOTICE OF PRODUCTION**

Today, December 12, 2025, at approximately 5:55 p.m. EST, Defendants produced the complete Administrative Record for the Department of Health and Human Services' final rule entitled *Patient Protection and Affordable Care Act: Marketplace Integrity and Affordability*, CMS 9884-F, published in the Federal Register at 90 Fed. Reg. 27,074, to Plaintiffs' counsel by way of an email containing a Box link. Attached to this Notice is the Index of the Administrative Record and its Certification. Given the voluminous nature of the Administrative Record, well over 30,000 pages and multiple gigabytes of digital storage space, Defendants were unable to upload the Administrative Record to CM/ECF. However, by close of business Monday, December 15, 2025, Defendants will mail a thumb drive containing the Administrative Record to the Court and to Plaintiffs.

DATED: 12/12/25

Respectfully submitted,

BRETT A. SHUMATE  
Assistant Attorney General  
Civil Division

ERIC B. BECKENHAUER  
Assistant Director

Federal Programs Branch

/s/ Jordan A. Hulseberg

JORDAN A. HULSEBERG

(DC Bar No. 90033542)

Trial Attorney

U.S. Department of Justice

Civil Division, Federal Programs Branch

1100 L Street NW

Washington, DC 20005

Phone: (202) 598-385



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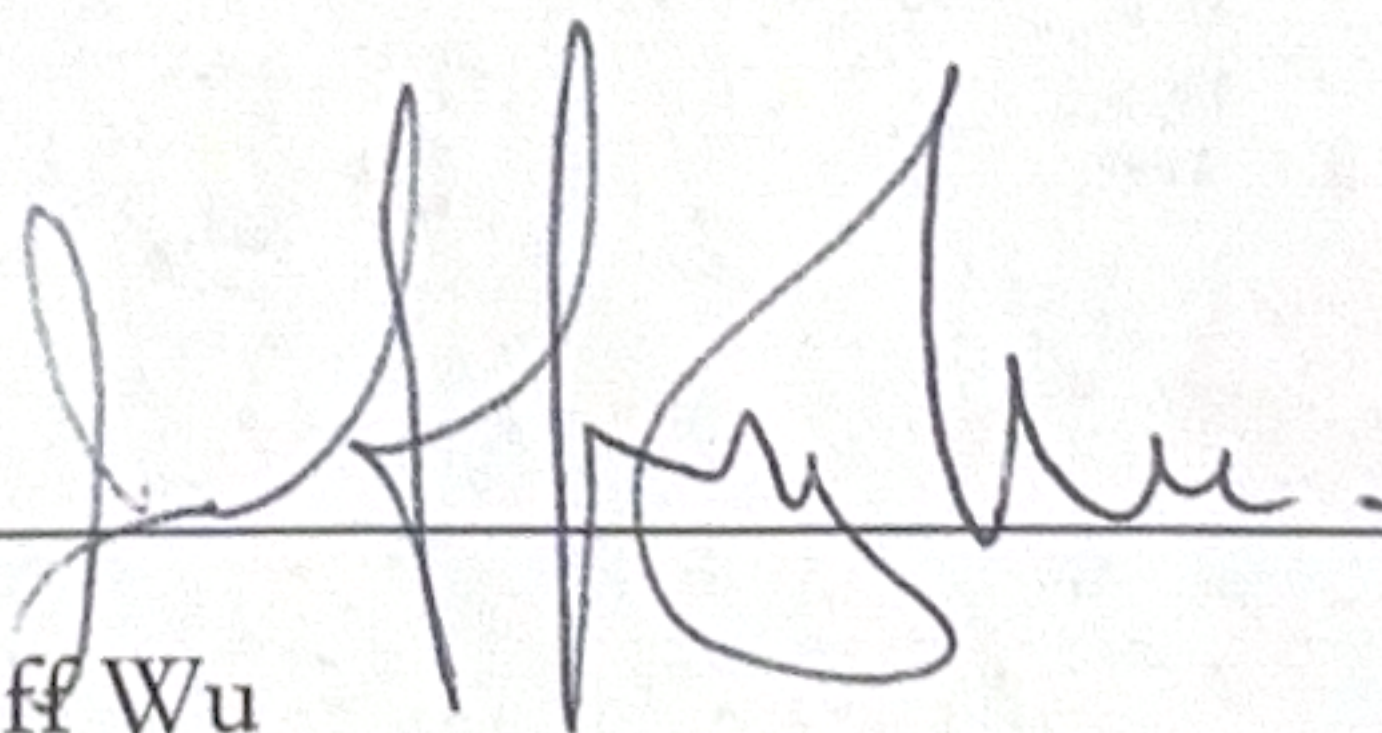
Defendants.

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**CERTIFICATION AND INDEX FOR THE ADMINISTRATIVE RECORD**

I, Jeff Wu, Deputy Director for Policy, Center for Consumer Information and Insurance Oversight, Centers for Medicare & Medicaid Services (“CMS”), United States Department of Health and Human Services, certify that, to the best of my knowledge, the materials listed in the accompanying index constitute a true and complete copy of the administrative rulemaking record for the final rule entitled *Patient Protection and Affordable Care Act; Marketplace Integrity and Affordability*, CMS 9884-F, published in the Federal Register at 90 Fed. Reg. 27,074 (June 20, 2025), portions of which have been challenged in the above-captioned case.

Dated: December 12, 2025

  
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Jeff Wu  
Deputy Director for Policy  
Center for Consumer Information and Insurance  
Oversight  
Centers for Medicare & Medicaid Services  
U.S. Department of Health and Human Services



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