

UNITED STATES DISTRICT COURT FOR
THE DISTRICT OF MARYLAND

CITY OF COLUMBUS, *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-2114-BAH

NOTICE OF PRODUCTION

On December 17, 2025, 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 that Administrative Record and its Certification. The Record is voluminous, containing nearly 40,000 pages and measuring approximately 3.3 gigabytes. To upload the Administrative Record to ECF would require breaking it into at least 111 separate attachments, using the thirty-megabyte filing limit listed on the District's website. Due to the impracticability of electronic filing, the Government obtained Plaintiffs' consent to transmit the Administrative Record to them by Box, a digital file sharing service.

On December 18, 2025, Defendants mailed a one-day FedEx package to the Court, which contained a flash drive with the Administrative Record uploaded to it. Should the Court prefer an invitation to access the files on Box, or any other medium, please contact me at Jordan.A.Hulseberg2@usdoj.gov or at (202) 598-3856.

DATED: 12/19/25

Respectfully submitted,

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/s/ Jordan A. Hulseberg

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ROBERT F. KENNEDY, JR., in his official
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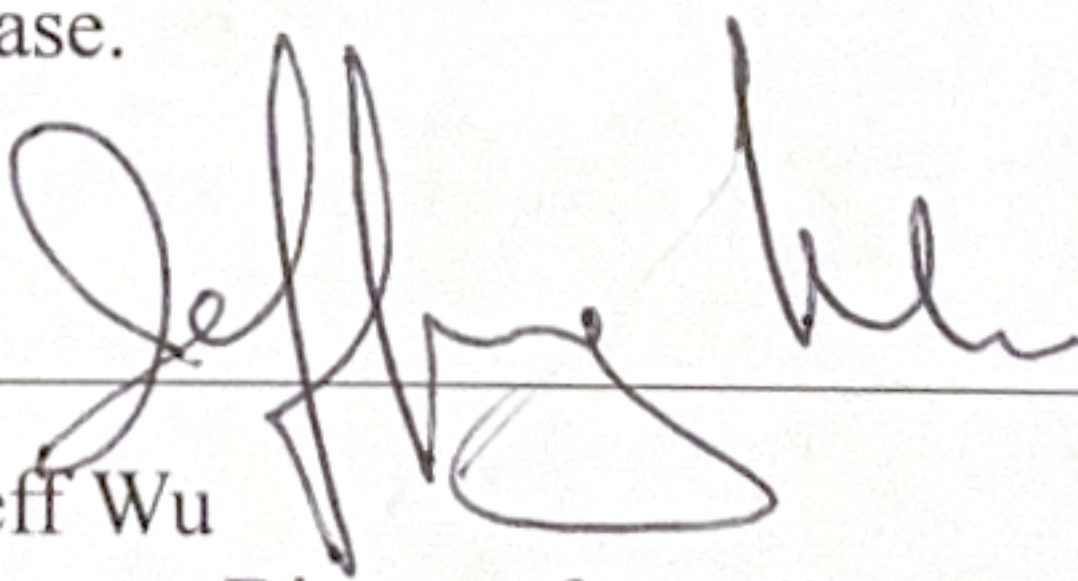
Defendants.

Civil Action No. 1:25-cv-2114-BAH

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



 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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