

United States Court of Appeals For the First Circuit

No. 25-1780

STATE OF NEW YORK; STATE OF WASHINGTON; STATE OF RHODE ISLAND; STATE OF ARIZONA; STATE OF CALIFORNIA; STATE OF COLORADO; STATE OF CONNECTICUT; STATE OF DELAWARE; THE DISTRICT OF COLUMBIA; STATE OF HAWAII; STATE OF ILLINOIS; STATE OF MAINE; STATE OF MARYLAND; THE PEOPLE OF THE STATE OF MICHIGAN; STATE OF MINNESOTA; STATE OF NEW JERSEY; STATE OF NEW MEXICO; STATE OF OREGON; STATE OF VERMONT; STATE OF WISCONSIN,

Plaintiffs - Appellees,

v.

ROBERT F. KENNEDY, JR., in the official capacity as Secretary of the US Department of Health and Human Services; UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES; SUSAN MONAREZ, in the official capacity as Acting Director, First Assistant to the Director, Principal Deputy Director of the Centers for Disease Control and Prevention; MARTIN MAKARY, in the official capacity as Commissioner of the U.S. Food and Drug Administration; US FOOD & DRUG ADMINISTRATION; ANDREW GRADISON, in the official capacity as Acting Assistant Secretary of the Administration for Children and Families; ADMINISTRATION FOR CHILDREN AND FAMILIES; MARY LAZARE, in the official capacity as Principal Deputy Administrator of the Administration for Community Living; ADMINISTRATION FOR COMMUNITY LIVING; ARTHUR KLEINSCHMIDT, in the official capacity as Principal Deputy Assistant Secretary of the Substance Abuse and Mental Health Services Administration; SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES ADMINISTRATION; CENTERS FOR DISEASE CONTROL AND PREVENTION,

Defendants - Appellants.

ORDER OF COURT

Entered: August 20, 2025

The "Motion of Campaign for Tobacco-Free Kids for Leave to File Brief *Amicus Curiae* in Support of Plaintiffs-Appellees' Opposition to Emergency Motion for Stay Pending Appeal" is denied without prejudice. The movant may renew the motion with a tendered copy of the relevant amicus filing appended thereto. The court then will decide whether and to what extent the amicus filing should be accepted and considered. Any such renewed motion should be filed by noon on Friday, August 22, 2025.

By the Court:

Anastasia Dubrovsky, Clerk

cc:

Christopher R. Hall, Lauren S. Zurier, Kevin M. Bolan, Melissa N. Patterson, Steven A. Myers, Elizabeth Themins Hedges, Christian Dibblee, Rabia Muqaddam, Daniel S. Magy, Molly Thomas-Jensen, Jessica Ranucci, Andres Ivan Navedo, Molly Brachfeld, Spencer Wade Coates, Cynthia Alexander, Kelsey Endres, William David McGinty, Kathryn M. Sabatini, Sarah Rice, Chandana Pandurangi, Dorothea C. Lindquist, Alexa Gabriela Salas, Michael Louis Newman, Panchalam Seshan Srividya, Neli Nima Palma, Kathleen Boergers, Crystal M. Adams, Jeanelly Orozco Alcala, Jesse P. Basbaum, Virginia Corrigan, David Moskowitz, Tanya Wheeler, Michael Kenneth Skold, Vanessa L. Kassab, Ian R. Liston, Andrew C. Mendrala, David Dana Day, Kaliko‘onālani D. Fernandes, Alex Hemmer, Katharine Pinckney Roberts, Caithlyn McEllis, Margaret Machaiek, Virginia A. Williamson, Neil Giovanatti, Lindsey E. Middlecamp, Jessica L. Palmer, Justine M. Longa, Astrid Carrete, Elleanor H. Chin, Ryan P. Kane, Charlotte Gibson