

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

PLANNED PARENTHOOD OF GREATER NEW YORK <i>et al.</i>)	
)	
Plaintiffs,)	
v.)	Civil Action No. 25-cv-2453
)	
U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES <i>et al.</i>)	
)	
Defendants.)	
)	

JOINT STATUS REPORT

Pursuant to the Court’s January 1, 2026, Minute Order, the parties respectfully submit this Joint Status Report advising the Court of the status of this matter and whether any disputes remain between the parties.

1. On January 1, 2026, the Court granted Plaintiffs’ unopposed motion to permit a skeletal filing, stayed other deadlines for the attorneys’ fees motion until April 1, 2026, and directed the parties to file a joint status report by February 2, 2026. Min. Order (Jan. 1, 2026). Plaintiffs filed their skeletal motion for attorneys’ fees and costs on January 5, 2026. ECF No. 35.

2. Since that time, the parties have continued to engage in good-faith settlement discussions concerning the issues related to attorneys’ fees and costs. Those discussions are ongoing, and the parties need additional time to continue their efforts to resolve the matter without further involvement from the Court.

3. At this time, because negotiations are continuing, the parties do not yet know whether any issues will remain for the Court to resolve.

4. To keep the Court apprised while allowing the parties additional time to continue settlement discussions, the parties propose filing another joint status report on March 4, 2026.

Dated: February 2, 2026

Respectfully submitted,

By: /s/ Andrew T. Tutt
Drew A. Harker (DC Bar # 412527)
Andrew T. Tutt (DC Bar # 1026916)
Bonnie Devany (*pro hac vice*)
Daniel Yablon (DC Bar # 90022490)
John V. Hoover (DC Bar # 90006181)
ARNOLD & PORTER KAYE SCHOLER LLP
601 Massachusetts Avenue, NW
Washington, DC 20001
(202) 942-5000
drew.harker@arnoldporter.com
andrew.tutt@arnoldporter.com
bonnie.devany@arnoldporter.com
daniel.yablon@arnoldporter.com
jack.hoover@arnoldporter.com

Emily Nestler (DC Bar # 973886)
PLANNED PARENTHOOD FEDERATION OF
AMERICA
1100 Vermont Avenue NW
Washington, DC 20005
(202) 973-4800
emily.nestler@ppfa.org

Valentina De Fex (*pro hac vice*)
Melissa Shube (DC Bar # 241034)
PLANNED PARENTHOOD FEDERATION OF
AMERICA
123 William Street, 9th Floor
New York, NY 10038
Phone: (212) 261-4696
valentina.defex@ppfa.org
melissa.shube@ppfa.org

Counsel for Plaintiffs

BRETT A. SHUMATE
Assistant Attorney General
Civil Division

MICHELLE R. BENNETT
Assistant Director, Federal Programs Branch

/s/ Michael J. Gerardi
MICHAEL J. GERARDI
(D.C. Bar No. 1017949)
Senior Trial Counsel
Federal Programs Branch
Civil Division, Department of Justice
1100 L Street NW
Washington, DC 20005
Telephone: (202) 616-0680
Michael.J.Gerardi@usdoj.gov

Counsel for Defendants