

United States Court of Appeals For the First Circuit

No. 25-2165

STATE OF CALIFORNIA; STATE OF NEW YORK; STATE OF CONNECTICUT; STATE OF COLORADO; STATE OF DELAWARE; DISTRICT OF COLUMBIA; STATE OF HAWAII; STATE OF ILLINOIS; STATE OF MAINE; STATE OF MARYLAND; COMMONWEALTH OF MASSACHUSETTS; STATE OF MICHIGAN; STATE OF MINNESOTA; STATE OF NEVADA; STATE OF NEW JERSEY; STATE OF NEW MEXICO; STATE OF NORTH CAROLINA; STATE OF OREGON; JOSH SHAPIRO, in the official capacity as Governor of the Commonwealth of Pennsylvania; STATE OF RHODE ISLAND; STATE OF VERMONT; STATE OF WASHINGTON; STATE OF WISCONSIN,

Plaintiffs - Appellees,

v.

U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES (HHS); ROBERT F. KENNEDY, JR., in the official capacity as Secretary of the U.S. Department of Health and Human Services; CENTERS FOR MEDICARE & MEDICAID SERVICES; MEHMET OZ, in the official capacity as Administrator of the Centers for Medicare and Medicaid Services,

Defendants - Appellants.

Before

Barron, Chief Judge,
Gelpí and Montecalvo, Circuit Judges.

ORDER OF COURT

Entered: December 8, 2025

This is an appeal from an order granting a preliminary injunction on December 2, 2025, in the District Court for the District of Massachusetts. We have jurisdiction under 28 U.S.C. § 1292(a). Defendant-Appellants have filed in this court a "Motion for Stay Pending Appeal and Administrative Stay" (the "Motion"). The Motion contains two requests; the sole request we address in this order is the request for an administrative stay.

After careful review, we conclude that an administrative stay is appropriate. See United States v. Texas, 144 S. Ct. 797, 798 (2024) (Barrett, J., concurring) (discussing considerations

relevant to administrative stays). Accordingly, the request for an immediate administrative stay is granted. We intend to rule on the request for a stay pending appeal promptly.

By the Court:

Anastasia Dubrovsky, Clerk

cc:

Nora Q.E. Passamaneck, Neli Nima Palma, Karli Eisenberg, Erica Madeline Connolly, Gillian Hannahs, Cara Newlon, Rabia Muqaddam, Colleen K. Faherty, Andres Ivan Navedo, Galen L. Sherwin, Janelle Medeiros, Alma Rose Nunley, Vanessa L. Kassab, Ian R. Liston, Jennifer Kate Aaronson, Nicole Suzanne Hill, David Dana Day, Kaliko‘onālani Diara Fernandes, Caitlyn Gulia McEllis, Elizabeth Morris, Sarah Jeanne Gallo, Halliday Moncure, Aaron M. Frey, James C. Luh, Allyson T. Slater, Andrea J. Campbell, Morgan Blair Carmen, Neil Giovanatti, Kyla L. Barranco, Katherine Bies, Heidi Parry Stern, Elizabeth R. Walsh, Jessica L. Palmer, Amy Senier, Daniel Paul Mosteller, Laura Howard, Marc David Brunton, Christina L. Beatty-Walters, Kate Elizabeth Morrow, Michael J. Fischer, Aimee D. Thomson, Jonathan D. Koltash, Jennifer Selber, Peter F. Neronha, Dorothea Rose Calvano Young, Jonathan T. Rose, William David McGinty, Lauryn K. Fraas, Faye B. Hipsman, Donald Campbell Lockhart, Daniel Tenny, Abraham R. George, Maxwell A. Baldi, Elisabeth Neylan, Elizabeth Themins Hedges