

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIRST CIRCUIT

STATE OF CALIFORNIA, *et al.*,

Plaintiff-Appellees,

v.

No. 25-2165

U.S. DEPARTMENT OF HEALTH AND HU-
MAN SERVICES, *et al.*,

Defendants-Appellees.

UNOPPOSED MOTION TO VOLUNTARILY DISMISS APPEAL

On March 17, 2026, plaintiffs-appellees unilaterally dismissed their complaint. Notice of Voluntary Dismissal Without Prejudice, Dkt. 96 (Mar. 17, 2026); *see* Fed. R. Civ. P. 41(a)(1)(A)(i). That dismissal automatically vacated the preliminary injunction that is the subject of this appeal, rendering the appeal moot. Therefore, pursuant to Federal Rule of Appellate Procedure 42(b)(2), defendants-appellants move to dismiss this appeal, with each party to bear its own costs.

Defendants have consulted with counsel for plaintiffs, who do not oppose voluntary dismissal of this appeal.

Respectfully submitted,

DANIEL TENNY

/s/ Maxwell A. Baldi

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CERTIFICATE OF COMPLIANCE

This motion complies with the type-volume limit of Federal Rule of Appellate Procedure 27(d)(2)(A) because it contains 83 words. This motion also complies with the typeface and type-style requirements of Federal Rule of Appellate Procedure 32(a)(5)-(6) because it was prepared using Word for Microsoft 365 in Garamond EB 14-point font, a proportionally spaced typeface.

/s/ Maxwell A. Baldi

MAXWELL A. BALDI