

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

CLERK'S CERTIFICATE AND APPEALS COVER SHEET

ABBREVIATED ELECTRONIC RECORD

Case Caption: American Association of University Professors - Harvard Faculty Chapter et al v. United States Department Of Justice et al

District Court Number: 1:25-cv-10910-ADB

Fee: Paid? Yes ___ No ___ Government filer In Forma Pauperis Yes ___ No ___

Motions Pending Yes ___ No Sealed documents Yes ___ No
If yes, document # _____ If yes, document # _____

Ex parte documents Yes ___ No Transcripts Yes No ___
If yes, document # _____ If yes, document # _____

Notice of Appeal filed by: Plaintiff/Petitioner ___ Defendant/Respondent Other: ___

Appeal from:

#153 Order and Final Judgment

Other information:

I, Robert M. Farrell, Clerk of the United States District Court for the District of Massachusetts, do hereby certify that the annexed electronic documents:

#153, #157

with the electronic docket sheet, constitute the abbreviated record on appeal in the above entitled case for the Notice of Appeal # 157 filed on 12/18/2025.

In testimony whereof, I hereunto set my hand and affix the seal of this Court on 12/23/2025.

ROBERT M. FARRELL
Clerk of Court

/s/Savannah Cook
Deputy Clerk

COURT OF APPEALS DOCKET NUMBER ASSIGNED: _____

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APPEAL

**United States District Court
District of Massachusetts (Boston)
CIVIL DOCKET FOR CASE #: 1:25-cv-10910-ADB**

American Association of University Professors – Harvard
Faculty Chapter et al v. United States Department Of Justice et
al
Assigned to: Judge Allison D. Burroughs
Cause: Civil Miscellaneous Case

Date Filed: 04/11/2025
Date Terminated: 10/20/2025
Jury Demand: None
Nature of Suit: 899 Other Statutes:
Administrative Procedures Act/Review or
Appeal of Agency Decision
Jurisdiction: U.S. Government Defendant

Plaintiff

**American Association of University
Professors – Harvard Faculty Chapter**

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**Certified to be a true and
correct copy of the original**
Robert M. Farrell, Clerk
U. S. District Court
District of Massachusetts

By: *Savannah Cook*
Deputy Clerk

Date: 12/23/2025

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Date Filed	#	Docket Text
04/11/2025	<u>1</u>	COMPLAINT against All Defendants Filing fee: \$ 405, receipt number AMADC-10948272 (Fee Status: Filing Fee paid), filed by American Association of University Professors – Harvard Faculty Chapter, American Association of University Professors. (Attachments: # <u>1</u> Civil Cover Sheet, # <u>2</u> Supplement Summonses)(Silverman, Daniel) (Entered: 04/11/2025)
04/11/2025	<u>2</u>	MOTION to Seal <i>Affidavits</i> by American Association of University Professors – Harvard Faculty Chapter, American Association of University Professors.(Silverman, Daniel) (Entered: 04/11/2025)
04/11/2025	<u>3</u>	MEMORANDUM in Support re <u>2</u> MOTION to Seal <i>Affidavits</i> filed by American Association of University Professors – Harvard Faculty Chapter, American Association of

		University Professors. (Silverman, Daniel) (Entered: 04/11/2025)
04/11/2025	<u>4</u>	MOTION for Temporary Restraining Order by American Association of University Professors – Harvard Faculty Chapter, American Association of University Professors.(Silverman, Daniel) (Entered: 04/11/2025)
04/11/2025	<u>5</u>	AFFIDAVIT of Daniel Silverman in Support re <u>4</u> MOTION for Temporary Restraining Order filed by American Association of University Professors – Harvard Faculty Chapter, American Association of University Professors. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6, # <u>7</u> Exhibit 7, # <u>8</u> Exhibit 8, # <u>9</u> Exhibit 9, # <u>10</u> Exhibit 10, # <u>11</u> Exhibit 11, # <u>12</u> Exhibit 12, # <u>13</u> Exhibit 13, # <u>14</u> Exhibit 14, # <u>15</u> Exhibit 15, # <u>16</u> Exhibit 16, # <u>17</u> Exhibit 17, # <u>18</u> Exhibit 18, # <u>19</u> Exhibit 19, # <u>20</u> Exhibit 20, # <u>21</u> Exhibit 21, # <u>22</u> Exhibit 22, # <u>23</u> Exhibit 23, # <u>24</u> Exhibit 24, # <u>25</u> Exhibit 25, # <u>26</u> Exhibit 26, # <u>27</u> Exhibit 27, # <u>28</u> Exhibit 28, # <u>29</u> Exhibit 29)(Silverman, Daniel) (Attachment 27 replaced on 4/14/2025) (CAM). (Attachment 29 replaced on 4/14/2025) (CAM). (Entered: 04/11/2025)
04/11/2025	<u>6</u>	MOTION for Leave to File Excess Pages by American Association of University Professors – Harvard Faculty Chapter, American Association of University Professors. (Attachments: # <u>1</u> Exhibit Harvard Brief)(Silverman, Daniel) (Entered: 04/11/2025)
04/14/2025	7	ELECTRONIC NOTICE of Case Assignment. Judge Allison D. Burroughs assigned to case. If the trial Judge issues an Order of Reference of any matter in this case to a Magistrate Judge, the matter will be transmitted to Magistrate Judge M. Page Kelley. (NMC) (Entered: 04/14/2025)
04/14/2025	8	<u>ELECTRONIC NOTICE TO COUNSEL:</u> Counsel shall complete and file in PDF format a Local Category Form. The form can be found on the court's website under Resources/Local Forms. Counsel will use the event under Other Documents – Civil Cover Sheet & Category Sheet. (NMC) (Entered: 04/14/2025)
04/14/2025	<u>9</u>	Summons Issued as to Jayanta Bhattacharya, Pamela Bondi, Stephen Ehikian, Josh Gruenbaum, Robert F. Kennedy, Jr., Sean R Keveney, Linda McMahon, National Institutes of Health, Leo Terrell, Craig Trainor, U.S. Department of Education, U.S. Department of Health and Human Services (HHS), U.S. General Services Administration, United States Department Of Justice, Thomas E Wheeler. Counsel receiving this notice electronically should download this summons, complete one for each defendant and serve it in accordance with Fed.R.Civ.P. 4 and LR 4.1. Summons will be mailed to plaintiff(s) not receiving notice electronically for completion of service. (NMC) (Entered: 04/14/2025)
04/14/2025	10	Judge Allison D. Burroughs: ELECTRONIC ORDER entered GRANTING <u>9</u> Motion to Seal. Counsel will receive an email within twenty–four (24) hours of this order with instructions for submitting sealed documents for which leave has been granted in accordance with the Local Rules of the U.S. District Court of Massachusetts. Counsel must include – Leave to file granted on (date of order)– in the caption of the document. (CAM) (Entered: 04/14/2025)
04/14/2025	11	Judge Allison D. Burroughs: ELECTRONIC ORDER entered GRANTING <u>6</u> Motion for Leave to File Excess Pages ; Counsel using the Electronic Case Filing System should now file the document for which leave to file has been granted in accordance with the CM/ECF Administrative Procedures. Counsel must include – Leave to file granted on (date of order)– in the caption of the document. (CAM) (Entered: 04/14/2025)
04/14/2025	<u>12</u>	MEMORANDUM in Support re <u>4</u> MOTION for Temporary Restraining Order filed by American Association of University Professors – Harvard Faculty Chapter, American

		Association of University Professors. (Silverman, Daniel) (Entered: 04/14/2025)
04/15/2025	<u>13</u>	MOTION for Leave to Appear Pro Hac Vice for admission of Benjamin D. Brown Filing fee: \$ 125, receipt number AMADC-10951709 by American Association of University Professors – Harvard Faculty Chapter, American Association of University Professors. (Attachments: # <u>1</u> Affidavit)(Silverman, Daniel) (Entered: 04/15/2025)
04/15/2025	<u>14</u>	MOTION for Leave to Appear Pro Hac Vice for admission of Joseph M. Sellers Filing fee: \$ 125, receipt number AMADC-10951815 by American Association of University Professors – Harvard Faculty Chapter, American Association of University Professors. (Attachments: # <u>1</u> Affidavit)(Silverman, Daniel) (Entered: 04/15/2025)
04/15/2025	<u>15</u>	MOTION for Leave to Appear Pro Hac Vice for admission of Phoebe M. Wolfe Filing fee: \$ 125, receipt number AMADC-10951834 by American Association of University Professors – Harvard Faculty Chapter, American Association of University Professors. (Attachments: # <u>1</u> Affidavit)(Silverman, Daniel) (Entered: 04/15/2025)
04/15/2025	<u>16</u>	MOTION for Leave to Appear Pro Hac Vice for admission of Corey Stoughton Filing fee: \$ 125, receipt number AMADC-10952013 by American Association of University Professors – Harvard Faculty Chapter, American Association of University Professors. (Attachments: # <u>1</u> Affidavit)(Silverman, Daniel) (Entered: 04/15/2025)
04/15/2025	<u>17</u>	MOTION for Leave to Appear Pro Hac Vice for admission of Hannah R. Miles Filing fee: \$ 125, receipt number AMADC-10952048 by American Association of University Professors – Harvard Faculty Chapter, American Association of University Professors. (Attachments: # <u>1</u> Affidavit)(Silverman, Daniel) (Entered: 04/15/2025)
04/15/2025	18	<p>Judge Allison D. Burroughs: ELECTRONIC ORDER entered granting <u>13</u> Motion for Leave to Appear Pro Hac Vice of Benjamin D. Brown.</p> <p>Attorneys admitted Pro Hac Vice must have an individual PACER account, not a shared firm account, to electronically file in the District of Massachusetts. To register for a PACER account, go the Pacer website at https://pacer.uscourts.gov/register-account. You must put the docket number under ADDITIONAL FILER INFORMATION on your form when registering or it will be rejected.</p> <p>Pro Hac Vice Admission Request Instructions https://www.mad.uscourts.gov/caseinfo/nextgen-pro-hac-vice.htm.</p> <p>A Notice of Appearance must be entered on the docket by the newly admitted attorney.</p> <p>Pursuant to Local Rule 83.5.3, local counsel shall also file an appearance in this matter. Further, local counsel shall review all filings and shall personally appear in Court for any hearings or conferences, unless expressly excused by the Court for good cause. (CAM) (Entered: 04/15/2025)</p>
04/15/2025	19	<p>Judge Allison D. Burroughs: ELECTRONIC ORDER entered granting <u>14</u> Motion for Leave to Appear Pro Hac Vice Added Joseph M. Sellers.</p> <p>Attorneys admitted Pro Hac Vice must have an individual upgraded PACER account, not a shared firm account, to electronically file in the District of Massachusetts. Counsel may need to link their CM/ECF account to their upgraded individual pacer account. Instructions on how to link CM/ECF accounts to upgraded pacer account can be</p>

		<p>found at https://www.mad.uscourts.gov/caseinfo/nextgen-current-pacer-accounts.htm#link-account.</p> <p>Pursuant to Local Rule 83.5.3, local counsel shall also file an appearance in this matter. Further, local counsel shall review all filings and shall personally appear in Court for any hearings or conferences, unless expressly excused by the Court for good cause.(CAM) (Entered: 04/15/2025)</p>
04/15/2025	20	<p>Judge Allison D. Burroughs: ELECTRONIC ORDER entered granting <u>15</u> Motion for Leave to Appear Pro Hac Vice of Phoebe M. Wolfe.</p> <p>Attorneys admitted Pro Hac Vice must have an individual PACER account, not a shared firm account, to electronically file in the District of Massachusetts. To register for a PACER account, go the Pacer website at https://pacer.uscourts.gov/register-account. You must put the docket number under ADDITIONAL FILER INFORMATION on your form when registering or it will be rejected.</p> <p>Pro Hac Vice Admission Request Instructions https://www.mad.uscourts.gov/caseinfo/nextgen-pro-hac-vice.htm.</p> <p>A Notice of Appearance must be entered on the docket by the newly admitted attorney.</p> <p>Pursuant to Local Rule 83.5.3, local counsel shall also file an appearance in this matter. Further, local counsel shall review all filings and shall personally appear in Court for any hearings or conferences, unless expressly excused by the Court for good cause. (CAM) (Entered: 04/15/2025)</p>
04/15/2025	21	<p>Judge Allison D. Burroughs: ELECTRONIC ORDER entered granting <u>16</u> Motion for Leave to Appear Pro Hac Vice of Corey Stoughton.</p> <p>Attorneys admitted Pro Hac Vice must have an individual PACER account, not a shared firm account, to electronically file in the District of Massachusetts. To register for a PACER account, go the Pacer website at https://pacer.uscourts.gov/register-account. You must put the docket number under ADDITIONAL FILER INFORMATION on your form when registering or it will be rejected.</p> <p>Pro Hac Vice Admission Request Instructions https://www.mad.uscourts.gov/caseinfo/nextgen-pro-hac-vice.htm.</p> <p>A Notice of Appearance must be entered on the docket by the newly admitted attorney.</p> <p>Pursuant to Local Rule 83.5.3, local counsel shall also file an appearance in this matter. Further, local counsel shall review all filings and shall personally appear in Court for any hearings or conferences, unless expressly excused by the Court for good cause.(CAM) (Entered: 04/15/2025)</p>
04/15/2025	<u>22</u>	<p>MOTION for Leave to Appear Pro Hac Vice for admission of Julie Singer Filing fee: \$ 125, receipt number AMADC-10952086 by American Association of University Professors – Harvard Faculty Chapter, American Association of University Professors. (Attachments: # <u>1</u> Affidavit)(Silverman, Daniel) (Entered: 04/15/2025)</p>

04/15/2025	23	<p>Judge Allison D. Burroughs: ELECTRONIC ORDER entered granting <u>17</u> Motion for Leave to Appear Pro Hac Vice of Hannah R. Miles.</p> <p>Attorneys admitted Pro Hac Vice must have an individual PACER account, not a shared firm account, to electronically file in the District of Massachusetts. To register for a PACER account, go the Pacer website at https://pacer.uscourts.gov/register-account. You must put the docket number under ADDITIONAL FILER INFORMATION on your form when registering or it will be rejected.</p> <p>Pro Hac Vice Admission Request Instructions https://www.mad.uscourts.gov/caseinfo/nextgen-pro-hac-vice.htm.</p> <p>A Notice of Appearance must be entered on the docket by the newly admitted attorney.</p> <p>Pursuant to Local Rule 83.5.3, local counsel shall also file an appearance in this matter. Further, local counsel shall review all filings and shall personally appear in Court for any hearings or conferences, unless expressly excused by the Court for good cause. (CAM) (Entered: 04/15/2025)</p>
04/15/2025	<u>24</u>	<p>MOTION for Leave to Appear Pro Hac Vice for admission of Philippe Z. Selendy Filing fee: \$ 125, receipt number AMADC-10952142 by American Association of University Professors – Harvard Faculty Chapter, American Association of University Professors. (Attachments: # <u>1</u> Affidavit)(Silverman, Daniel) (Entered: 04/15/2025)</p>
04/15/2025	<u>25</u>	<p>MOTION for Leave to Appear Pro Hac Vice for admission of Sean P. Baldwin Filing fee: \$ 125, receipt number AMADC-10952191 by American Association of University Professors – Harvard Faculty Chapter, American Association of University Professors. (Attachments: # <u>1</u> Affidavit)(Silverman, Daniel) (Entered: 04/15/2025)</p>
04/15/2025	26	<p>Judge Allison D. Burroughs: ELECTRONIC ORDER entered granting <u>22</u> , <u>23</u> , and <u>24</u> Motions for Leave to Appear Pro Hac Vice of Julie Singer, Philippe Z. Selendy, and Philippe Z. Selendy.</p> <p>Attorneys admitted Pro Hac Vice must have an individual PACER account, not a shared firm account, to electronically file in the District of Massachusetts. To register for a PACER account, go the Pacer website at https://pacer.uscourts.gov/register-account. You must put the docket number under ADDITIONAL FILER INFORMATION on your form when registering or it will be rejected.</p> <p>Pro Hac Vice Admission Request Instructions https://www.mad.uscourts.gov/caseinfo/nextgen-pro-hac-vice.htm.</p> <p>A Notice of Appearance must be entered on the docket by each newly admitted attorney.</p> <p>Pursuant to Local Rule 83.5.3, local counsel shall also file an appearance in this matter. Further, local counsel shall review all filings and shall personally appear in Court for any hearings or conferences, unless expressly excused by the Court for good cause.(CAM) (Entered: 04/15/2025)</p>
04/15/2025	<u>27</u>	<p>Withdrawal of motion: <u>4</u> MOTION for Temporary Restraining Order filed by American Association of University Professors – Harvard Faculty Chapter, American Association of</p>

		University Professors.. (Attachments: # <u>1</u> Exhibit, # <u>2</u> Exhibit, # <u>3</u> Exhibit)(Silverman, Daniel) (Entered: 04/15/2025)
04/15/2025	<u>28</u>	NOTICE of Appearance by Anuj K. Khetarpal on behalf of Jayanta Bhattacharya, Stephen Ehikian, Josh Gruenbaum, Pamela Bondi, Linda McMahon, U.S. Department of Health and Human Services (HHS), National Institutes of Health, U.S. General Services Administration, United States Department Of Justice, Leo Terrell, U.S. Department of Education, Craig Trainor, Thomas E Wheeler, Robert F. Kennedy, Jr., Sean R Keveney (Khetarpal, Anuj) (Entered: 04/15/2025)
04/15/2025	<u>29</u>	Judge Allison D. Burroughs: ELECTRONIC ORDER entered APPROVING <u>27</u> Withdrawal of motion. The parties shall inform the court on or before <u>April 18, 2025</u> of their plans concerning preliminary relief. (CAM) (Entered: 04/15/2025)
04/15/2025	<u>30</u>	NOTICE of Appearance by Daniel H Silverman on behalf of American Association of University Professors – Harvard Faculty Chapter, American Association of University Professors (Silverman, Daniel) (Entered: 04/15/2025)
04/15/2025	<u>31</u>	NOTICE of Appearance by Joseph M. Sellers on behalf of American Association of University Professors – Harvard Faculty Chapter, American Association of University Professors (Sellers, Joseph) (Entered: 04/15/2025)
04/16/2025	<u>32</u>	NOTICE of Appearance by Rayford A. Farquhar on behalf of Jayanta Bhattacharya, Stephen Ehikian, Josh Gruenbaum, Pamela Bondi, Linda McMahon, U.S. Department of Health and Human Services (HHS), National Institutes of Health, U.S. General Services Administration, United States Department Of Justice, Leo Terrell, U.S. Department of Education, Craig Trainor, Thomas E Wheeler, Robert F. Kennedy, Jr., Sean R Keveney (Farquhar, Rayford) (Entered: 04/16/2025)
04/16/2025	<u>33</u>	NOTICE of Appearance by Phoebe Wolfe on behalf of American Association of University Professors – Harvard Faculty Chapter, American Association of University Professors (Wolfe, Phoebe) (Entered: 04/16/2025)
04/16/2025	<u>34</u>	NOTICE of Appearance by Benjamin D. Brown on behalf of American Association of University Professors – Harvard Faculty Chapter, American Association of University Professors (Brown, Benjamin) (Entered: 04/16/2025)
04/16/2025	<u>35</u>	NOTICE of Appearance by Sean Baldwin on behalf of American Association of University Professors – Harvard Faculty Chapter, American Association of University Professors (Baldwin, Sean) (Entered: 04/16/2025)
04/16/2025	<u>36</u>	NOTICE of Appearance by Philippe Z. Selendy on behalf of American Association of University Professors – Harvard Faculty Chapter, American Association of University Professors (Selendy, Philippe) (Entered: 04/16/2025)
04/16/2025	<u>37</u>	NOTICE of Appearance by Julie Rose Singer on behalf of American Association of University Professors – Harvard Faculty Chapter, American Association of University Professors (Singer, Julie) (Entered: 04/16/2025)
04/16/2025	<u>38</u>	NOTICE of Appearance by Corey Stoughton on behalf of American Association of University Professors – Harvard Faculty Chapter, American Association of University Professors (Stoughton, Corey) (Entered: 04/16/2025)
04/16/2025	<u>39</u>	NOTICE of Appearance by Hannah Miles on behalf of American Association of University Professors – Harvard Faculty Chapter, American Association of University Professors (Miles, Hannah) (Entered: 04/16/2025)

04/18/2025	<u>40</u>	MOTION for an Order for a Joint Status Report by American Association of University Professors – Harvard Faculty Chapter, American Association of University Professors.(Stoughton, Corey) (Entered: 04/18/2025)
04/18/2025	41	Judge Allison D. Burroughs: ELECTRONIC ORDER entered. [ECF No. <u>40</u>] is <u>GRANTED</u> . The Parties shall submit a joint status report regarding a schedule for briefing motions for preliminary or other expedited relief no later than <u>May 16, 2025</u> . (CAM) (Entered: 04/18/2025)
04/24/2025	<u>42</u>	MOTION for Leave to File Amicus Curiae Brief filed by Robert A Pietz.. (Attachments: # <u>1</u> Exhibit A – Proposed Amicus Brief)(CAM) (Entered: 04/24/2025)
04/24/2025	<u>43</u>	MOTION for Leave to Appear Pro Hac Vice for admission of Margaret (Emmy) Wydman Filing fee: \$ 125, receipt number AMADC–10971212 by American Association of University Professors – Harvard Faculty Chapter, American Association of University Professors. (Attachments: # <u>1</u> Affidavit Wydman)(Silverman, Daniel) (Entered: 04/24/2025)
04/24/2025	44	<p>Judge Allison D. Burroughs: ELECTRONIC ORDER entered granting <u>43</u> Motion for Leave to Appear Pro Hac Vice of Margaret (Emmy) Wydman.</p> <p>Attorneys admitted Pro Hac Vice must have an individual PACER account, not a shared firm account, to electronically file in the District of Massachusetts. To register for a PACER account, go the Pacer website at https://pacer.uscourts.gov/register-account. You must put the docket number under ADDITIONAL FILER INFORMATION on your form when registering or it will be rejected.</p> <p>Pro Hac Vice Admission Request Instructions https://www.mad.uscourts.gov/caseinfo/nextgen-pro-hac-vice.htm.</p> <p>A Notice of Appearance must be entered on the docket by the newly admitted attorney.</p> <p>Pursuant to Local Rule 83.5.3, local counsel shall also file an appearance in this matter. Further, local counsel shall review all filings and shall personally appear in Court for any hearings or conferences, unless expressly excused by the Court for good cause.(CAM) (Entered: 04/24/2025)</p>
04/25/2025	<u>45</u>	MOTION for Leave to Participate in Status Conference in Related Case 1:25cv11048 (<i>Unopposed</i>) by American Association of University Professors – Harvard Faculty Chapter, American Association of University Professors.(Silverman, Daniel) (Entered: 04/25/2025)
04/25/2025	46	Judge Allison D. Burroughs: ELECTRONIC ORDER entered GRANTING <u>45</u> Unopposed Motion for Leave to Participate in Status Conference in Related Case 1:25cv11048. (CAM) (Entered: 04/25/2025)
04/25/2025	47	Judge Allison D. Burroughs: ELECTRONIC ORDER entered. The Court <u>DENIES</u> Robert A. Pietz's motion for leave to file brief as amicus curiae. [ECF No. <u>42</u>]. Although the Federal Rules of Civil Procedure do not contain provisions concerning amici appearances, it is well established that "the acceptance of amicus briefs is within the sound discretion of the court. " <u>Strasser v. Doorley</u> , 432 F.2d 567, 569 (1st Cir. 1970). That said, a district court lacking joint consent of the parties should go slow in accepting... an amicus brief unless, as a party, although short of a right to intervene, the amicus has a special interest that justifies [] having a say, or unless the court feels that existing counsel may need supplementing assistance. <u>Id.</u> Given the absence of either condition, the Court, in its discretion, <u>DENIES</u>

		[ECF No. <u>42</u>]. (CAM) (Entered: 04/25/2025)
04/29/2025	48	Copy re 47 Order on Motion for Leave to File regenerated to email address of filer (pietzreceipts@gmail.com) on 4/29/2025. Filer did not include a mailing address in filing. (CAM) (Entered: 04/29/2025)
04/29/2025	49	<p>Judge Allison D. Burroughs: ORDER entered. Following the Status Conference held on April 28, 2025, in <u>President and Fellows of Harvard College v. US Department of Health and Human Services et al.</u> (25-cv-11048), the Court adopts the following agreed-upon expedited briefing schedule. Plaintiffs may file an Amended Complaint by <u>May 5, 2025</u>.</p> <p>Production of the Administrative Record: <u>May 19, 2025</u></p> <p>Plaintiffs&rsquo; Summary Judgment Motion: <u>June 2, 2025</u></p> <p>Amicus Briefs in support of Plaintiffs: <u>June 9, 2025</u></p> <p>Defendants&rsquo; Opposition/Cross Motion/Motion to Dismiss: <u>June 16, 2025</u></p> <p>Amicus Briefs in support of Defendants: <u>June 23, 2025</u></p> <p>Plaintiffs&rsquo; Reply/Opposition: <u>June 30, 2025</u></p> <p>Defendants&rsquo; Reply: <u>July 14, 2025</u></p> <p>Oral Argument: <u>July 21, 2025</u>, at <u>9:30 AM</u>.</p> <p>The total page limit for each party shall not exceed 80 pages. Permission to file amicus briefs must be sought and obtained prior to filing. Any amicus briefs allowed by the Court may not exceed 10 pages.</p> <p>(CAM) (Entered: 04/29/2025)</p>
05/05/2025	<u>50</u>	AMENDED COMPLAINT against All Defendants, filed by American Association of University Professors, American Association of University Professors – Harvard Faculty Chapter, International Union, United Automobile, Aerospace and Agricultural Implement Workers of America.(Silverman, Daniel) (Entered: 05/05/2025)
05/06/2025	<u>51</u>	MOTION for Leave to File <i>Second Amended Complaint</i> by American Association of University Professors, American Association of University Professors – Harvard Faculty Chapter, International Union, United Automobile, Aerospace and Agricultural Implement Workers of America. (Attachments: # <u>1</u> Exhibit Second Amended Complaint)(Silverman, Daniel) (Entered: 05/06/2025)
05/08/2025	52	Judge Allison D. Burroughs: ELECTRONIC ORDER entered. Plaintiffs are directed to comply with Local Rule 7.1(a)(2) with regards to their pending motion for leave to file a second amended complaint [ECF No. <u>51</u>]. The parties are reminded that all motions require a meet and confer prior to filing. Going forward, any motions filed without the required certification will be denied. (CAM) (Entered: 05/08/2025)
05/08/2025	<u>53</u>	MOTION for Leave to File <i>Second Amended Complaint</i> by American Association of University Professors, American Association of University Professors – Harvard Faculty Chapter, International Union, United Automobile, Aerospace and Agricultural Implement Workers of America. (Attachments: # <u>1</u> Exhibit Second Amended Complaint)(Silverman,

		Daniel) (Entered: 05/08/2025)
05/09/2025	54	Judge Allison D. Burroughs: ELECTRONIC ORDER entered finding as moot <u>51</u> Motion for Leave to File Document. (KF) (Entered: 05/09/2025)
05/16/2025	<u>55</u>	MOTION for Leave to File <i>Second Amended Complaint</i> by American Association of University Professors, American Association of University Professors – Harvard Faculty Chapter, International Union, United Automobile, Aerospace and Agricultural Implement Workers of America. (Attachments: # <u>1</u> Exhibit 1 – Proposed Second Amended Complaint)(Stoughton, Corey) (Entered: 05/16/2025)
05/19/2025	<u>56</u>	MOTION for Leave to Appear Pro Hac Vice for admission of Drake Reed Filing fee: \$ 125, receipt number AMADC-11017485 by American Association of University Professors, American Association of University Professors – Harvard Faculty Chapter, International Union, United Automobile, Aerospace and Agricultural Implement Workers of America. (Attachments: # <u>1</u> Affidavit Certification of Drake Reed)(Silverman, Daniel) (Entered: 05/19/2025)
05/19/2025	<u>57</u>	Assented to MOTION for Extension of Time to 05/20/2025 to Produce Administrative Record of USDA by Jayanta Bhattacharya, Pamela Bondi, Stephen Ehikian, Josh Gruenbaum, Robert F. Kennedy, Jr., Sean R Keveney, Linda McMahon, National Institutes of Health, Leo Terrell, Craig Trainor, U.S. Department of Education, U.S. Department of Health and Human Services (HHS), U.S. General Services Administration, United States Department Of Justice, Thomas E Wheeler.(Khetarpal, Anuj) (Entered: 05/19/2025)
05/19/2025	<u>58</u>	NOTICE by Jayanta Bhattacharya, Pamela Bondi, Stephen Ehikian, Josh Gruenbaum, Robert F. Kennedy, Jr., Sean R Keveney, Linda McMahon, National Institutes of Health, Leo Terrell, Craig Trainor, U.S. Department of Education, U.S. Department of Health and Human Services (HHS), U.S. General Services Administration, United States Department Of Justice, Thomas E Wheeler <i>Notice of Production of Administrative Record</i> (Khetarpal, Anuj) (Entered: 05/19/2025)
05/20/2025	59	<p>Judge Allison D. Burroughs: ELECTRONIC ORDER entered granting <u>56</u> Motion for Leave to Appear Pro Hac Vice of Drake Reed.</p> <p>Attorneys admitted Pro Hac Vice must have an individual PACER account, not a shared firm account, to electronically file in the District of Massachusetts. To register for a PACER account, go the Pacer website at https://pacer.uscourts.gov/register-account. You must put the docket number under ADDITIONAL FILER INFORMATION on your form when registering or it will be rejected.</p> <p>Pro Hac Vice Admission Request Instructions https://www.mad.uscourts.gov/caseinfo/nextgen-pro-hac-vice.htm.</p> <p>A Notice of Appearance must be entered on the docket by the newly admitted attorney.</p> <p>Pursuant to Local Rule 83.5.3, local counsel shall also file an appearance in this matter. Further, local counsel shall review all filings and shall personally appear in Court for any hearings or conferences, unless expressly excused by the Court for good cause.(CAM) (Entered: 05/20/2025)</p>
05/20/2025	60	Judge Allison D. Burroughs: ELECTRONIC ORDER entered GRANTING <u>57</u> Assented to Motion for Extension of Time to 05/20/2025 to Produce Administrative Record of USDA.

		(CAM) (Entered: 05/20/2025)
05/20/2025	<u>61</u>	Joint MOTION for Extension of Time to 30 days after order on dispositive motions to File Answer re <u>50</u> Amended Complaint, by Jayanta Bhattacharya, Pamela Bondi, Stephen Ehikian, Josh Gruenbaum, Robert F. Kennedy, Jr., Sean R Keveney, Linda McMahon, National Institutes of Health, Leo Terrell, Craig Trainor, U.S. Department of Education, U.S. Department of Health and Human Services (HHS), U.S. General Services Administration, United States Department Of Justice, Thomas E Wheeler.(Khetarpal, Anuj) (Entered: 05/20/2025)
05/20/2025	62	Judge Allison D. Burroughs: ELECTRONIC ORDER entered terminating <u>53</u> Motion for Leave to File Document as Withdrawn ; GRANTING <u>55</u> Motion for Leave to File Document ; Counsel using the Electronic Case Filing System should now file the document for which leave to file has been granted in accordance with the CM/ECF Administrative Procedures. Counsel must include – Leave to file granted on (date of order)– in the caption of the document. (CAM) (Entered: 05/20/2025)
05/20/2025	63	Judge Allison D. Burroughs: ELECTRONIC ORDER entered GRANTING <u>61</u> Joint Motion for Extension of Time to 30 days after order on dispositive motions to File Answer re Amended Complaint. (CAM) (Entered: 05/20/2025)
05/20/2025	<u>64</u>	AMENDED COMPLAINT (<i>Second</i>) against All Defendants, filed by American Association of University Professors, American Association of University Professors – Harvard Faculty Chapter, International Union, United Automobile, Aerospace and Agricultural Implement Workers of America.(Stoughton, Corey) (Entered: 05/20/2025)
05/20/2025	<u>65</u>	NOTICE of Appearance by Drake Reed on behalf of American Association of University Professors, American Association of University Professors – Harvard Faculty Chapter, International Union, United Automobile, Aerospace and Agricultural Implement Workers of America (Reed, Drake) (Entered: 05/20/2025)
05/21/2025	<u>66</u>	NOTICE by Jayanta Bhattacharya, Pamela Bondi, Brian Stone, in his official capacity as Acting Director of NSF, Brooke L. Rollins, in her official capacity as Secretary of USDA, Christopher A. Wright, in his official capacity as Secretary of DOE, Stephen Ehikian, Josh Gruenbaum, Janet E. Petro, in her official capacity as Acting Administrator of NASA, Robert F. Kennedy, Jr., Sean R Keveney, Linda McMahon, National Aeronautics and Space Administration, National Institutes of Health, Peter B. Hegseth, in his official capacity as Secretary of DOD, Scott Turner, in his official capacity as Secretary of HUD, Leo Terrell, Craig Trainor, U.S. Department of Education, U.S. Department of Health and Human Services (HHS), U.S. General Services Administration, United States Department Of Justice, United States Department of Agriculture, United States Department of Defense, United States Department of Energy, United States Department of Housing and Urban Development, United States National Science Foundation, Thomas E Wheeler <i>Second Notice of Production of Administrative Record</i> (Khetarpal, Anuj) (Entered: 05/21/2025)
05/28/2025	<u>67</u>	MOTION for Leave to Appear Pro Hac Vice for admission of Sabrina Merold Filing fee: \$ 125, receipt number AMADC-11033472 by American Association of University Professors, American Association of University Professors – Harvard Faculty Chapter, International Union, United Automobile, Aerospace and Agricultural Implement Workers of America. (Attachments: # <u>1</u> Affidavit Sabrina Merold)(Silverman, Daniel) (Entered: 05/28/2025)
05/28/2025	68	Judge Allison D. Burroughs: ELECTRONIC ORDER entered granting <u>67</u> Motion for Leave to Appear Pro Hac Vice of Sabrina Merold.

		<p>Attorneys admitted Pro Hac Vice must have an individual PACER account, not a shared firm account, to electronically file in the District of Massachusetts. To register for a PACER account, go the Pacer website at https://pacer.uscourts.gov/register-account. You must put the docket number under ADDITIONAL FILER INFORMATION on your form when registering or it will be rejected.</p> <p>Pro Hac Vice Admission Request Instructions https://www.mad.uscourts.gov/caseinfo/nextgen-pro-hac-vice.htm.</p> <p>A Notice of Appearance must be entered on the docket by the newly admitted attorney.</p> <p>Pursuant to Local Rule 83.5.3, local counsel shall also file an appearance in this matter. Further, local counsel shall review all filings and shall personally appear in Court for any hearings or conferences, unless expressly excused by the Court for good cause. (CAM) (Entered: 05/28/2025)</p>
05/30/2025	<u>69</u>	NOTICE by Jayanta Bhattacharya, Pamela Bondi, Brian Stone, in his official capacity as Acting Director of NSF, Brooke L. Rollins, in her official capacity as Secretary of USDA, Christopher A. Wright, in his official capacity as Secretary of DOE, Stephen Ehikian, Josh Gruenbaum, Janet E. Petro, in her official capacity as Acting Administrator of NASA, Robert F. Kennedy, Jr., Sean R Keveney, Linda McMahon, National Aeronautics and Space Administration, National Institutes of Health, Peter B. Hegseth, in his official capacity as Secretary of DOD, Scott Turner, in his official capacity as Secretary of HUD, Leo Terrell, Craig Trainor, U.S. Department of Education, U.S. Department of Health and Human Services (HHS), U.S. General Services Administration, United States Department Of Justice, United States Department of Agriculture, United States Department of Defense, United States Department of Energy, United States Department of Housing and Urban Development, United States National Science Foundation, Thomas E Wheeler <i>Notice of Supplementation of Administrative Record</i> (Khetarpal, Anuj) (Entered: 05/30/2025)
05/30/2025	<u>70</u>	NOTICE of Appearance by Sabrina Merold on behalf of American Association of University Professors, American Association of University Professors – Harvard Faculty Chapter, International Union, United Automobile, Aerospace and Agricultural Implement Workers of America (Merold, Sabrina) (Entered: 05/30/2025)
06/02/2025	<u>71</u>	MOTION to Seal <i>Affidavits</i> by American Association of University Professors, American Association of University Professors – Harvard Faculty Chapter, International Union, United Automobile, Aerospace and Agricultural Implement Workers of America.(Silverman, Daniel) (Entered: 06/02/2025)
06/02/2025	72	Judge Allison D. Burroughs: ELECTRONIC ORDER entered GRANTING <u>71</u> Motion to Seal. Counsel will receive an email within twenty-four (24) hours of this order with instructions for submitting sealed documents for which leave has been granted in accordance with the Local Rules of the U.S. District Court of Massachusetts. Counsel must include – Leave to file granted on (date of order)– in the caption of the document. (CAM) (Entered: 06/02/2025)
06/02/2025	<u>73</u>	NOTICE of Appearance by Margaret E Wydman on behalf of American Association of University Professors, American Association of University Professors – Harvard Faculty Chapter, International Union, United Automobile, Aerospace and Agricultural Implement Workers of America (Wydman, Margaret) (Entered: 06/02/2025)
06/02/2025	<u>74</u>	

		MOTION for Summary Judgment by American Association of University Professors, American Association of University Professors – Harvard Faculty Chapter, International Union, United Automobile, Aerospace and Agricultural Implement Workers of America.(Silverman, Daniel) (Entered: 06/02/2025)
06/02/2025	<u>75</u>	MEMORANDUM in Support re <u>74</u> MOTION for Summary Judgment filed by American Association of University Professors – Harvard Faculty Chapter, International Union, United Automobile, Aerospace and Agricultural Implement Workers of America. (Silverman, Daniel) (Entered: 06/02/2025)
06/02/2025	<u>76</u>	Statement of Material Facts L.R. 56.1 re <u>74</u> MOTION for Summary Judgment filed by American Association of University Professors, American Association of University Professors – Harvard Faculty Chapter, International Union, United Automobile, Aerospace and Agricultural Implement Workers of America. (Silverman, Daniel) (Entered: 06/02/2025)
06/02/2025	<u>77</u>	AFFIDAVIT of Daniel Silverman in Support re <u>74</u> MOTION for Summary Judgment filed by American Association of University Professors, American Association of University Professors – Harvard Faculty Chapter, International Union, United Automobile, Aerospace and Agricultural Implement Workers of America. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6, # <u>7</u> Exhibit 7, # <u>8</u> Exhibit 8, # <u>9</u> Exhibit 9, # <u>10</u> Exhibit 10, # <u>11</u> Exhibit 11, # <u>12</u> Exhibit 12, # <u>13</u> Exhibit 13, # <u>14</u> Exhibit 14, # <u>15</u> Exhibit 15, # <u>16</u> Exhibit 16, # <u>17</u> Exhibit 17, # <u>18</u> Exhibit 18, # <u>19</u> Exhibit 19, # <u>20</u> Exhibit 20, # <u>21</u> Exhibit 21, # <u>22</u> Exhibit 22, # <u>23</u> Exhibit 23, # <u>24</u> Exhibit 24, # <u>25</u> Exhibit 25, # <u>26</u> Exhibit 26, # <u>27</u> Exhibit 27, # <u>28</u> Exhibit 28, # <u>29</u> Exhibit 29, # <u>30</u> Exhibit 30, # <u>31</u> Exhibit 31, # <u>32</u> Exhibit 32, # <u>33</u> Exhibit 33, # <u>34</u> Exhibit 34, # <u>35</u> Exhibit 35, # <u>36</u> Exhibit 36)(Silverman, Daniel) (Attachment 35 replaced on 6/3/2025) (CAM). (Attachment 36 replaced on 6/3/2025) (CAM). (Entered: 06/02/2025)
06/05/2025	<u>78</u>	MOTION for Leave to File <i>Amicus Curiae Brief</i> by Leadership Now Project.(Chen, Joy) (Entered: 06/05/2025)
06/06/2025	79	Judge Allison D. Burroughs: ELECTRONIC ORDER entered GRANTING <u>78</u> Motion for Leave to File Amicus Curiae Brief by Leadership Now Project. ; Counsel using the Electronic Case Filing System should now file the document for which leave to file has been granted in accordance with the CM/ECF Administrative Procedures. Counsel must include – Leave to file granted on (date of order)– in the caption of the document. (CAM) (Entered: 06/06/2025)
06/06/2025	<u>80</u>	NOTICE of Appearance by Rachel L. Weber on behalf of A Jewish Voice for Peace (Weber, Rachel) (Entered: 06/06/2025)
06/06/2025	<u>81</u>	MOTION for Leave to Appear Pro Hac Vice for admission of P. Benjamin Duke Filing fee: \$ 125, receipt number AMADC–11054261 by Leadership Now Project. (Attachments: # <u>1</u> Certificate In Support of Motion to Appear Pro Hac Vice)(Chen, Joy) (Entered: 06/06/2025)
06/06/2025	<u>82</u>	MOTION for Leave to Appear Pro Hac Vice for admission of Graham M. Glusman Filing fee: \$ 125, receipt number AMADC–11054431 by Leadership Now Project. (Attachments: # <u>1</u> Certificate In Support of Motion to Appear Pro Hac Vice)(Chen, Joy) (Entered: 06/06/2025)
06/06/2025	83	Judge Allison D. Burroughs: ELECTRONIC ORDER entered granting <u>81</u> Motion for Leave to Appear Pro Hac Vice of P. Benjamin Duke. Attorneys admitted Pro Hac Vice must have an individual PACER account, not a shared firm account, to electronically file in the District of Massachusetts. To register

		<p>for a PACER account, go the Pacer website at https://pacer.uscourts.gov/register-account. You must put the docket number under ADDITIONAL FILER INFORMATION on your form when registering or it will be rejected.</p> <p>Pro Hac Vice Admission Request Instructions https://www.mad.uscourts.gov/caseinfo/nextgen-pro-hac-vice.htm.</p> <p>A Notice of Appearance must be entered on the docket by the newly admitted attorney.</p> <p>Pursuant to Local Rule 83.5.3, local counsel shall also file an appearance in this matter. Further, local counsel shall review all filings and shall personally appear in Court for any hearings or conferences, unless expressly excused by the Court for good cause.(CAM) (Entered: 06/06/2025)</p>
06/06/2025	84	<p>Judge Allison D. Burroughs: ELECTRONIC ORDER entered granting <u>82</u> Motion for Leave to Appear Pro Hac Vice of Graham M. Glusman.</p> <p>Attorneys admitted Pro Hac Vice must have an individual PACER account, not a shared firm account, to electronically file in the District of Massachusetts. To register for a PACER account, go the Pacer website at https://pacer.uscourts.gov/register-account. You must put the docket number under ADDITIONAL FILER INFORMATION on your form when registering or it will be rejected.</p> <p>Pro Hac Vice Admission Request Instructions https://www.mad.uscourts.gov/caseinfo/nextgen-pro-hac-vice.htm.</p> <p>A Notice of Appearance must be entered on the docket by the newly admitted attorney.</p> <p>Pursuant to Local Rule 83.5.3, local counsel shall also file an appearance in this matter. Further, local counsel shall review all filings and shall personally appear in Court for any hearings or conferences, unless expressly excused by the Court for good cause.(CAM) (Entered: 06/06/2025)</p>
06/06/2025	<u>85</u>	<p>First MOTION for Leave to Appear Pro Hac Vice for admission of Bina Ahmad Filing fee: \$ 125, receipt number AMADC-11054588 by A Jewish Voice for Peace.(Weber, Rachel) (Additional attachment(s) added on 6/9/2025: # <u>1</u> Certificate of Bina Ahmad) (CAM). (Main Document 85 replaced on 6/9/2025) (CAM). (Entered: 06/06/2025)</p>
06/09/2025	<u>86</u>	<p>MOTION for Leave to File <i>Amicus Brief</i> by Public Citizen . (Attachments: # <u>1</u> Exhibit Proposed Brief, # <u>2</u> Exhibit Proposed Order)(Stern, Mark) Modified on 6/9/2025 to correct filer name (CAM). (Entered: 06/09/2025)</p>
06/09/2025	87	<p>Judge Allison D. Burroughs: ELECTRONIC ORDER entered granting <u>85</u> Motion for Leave to Appear Pro Hac Vice of Bina Ahmad.</p> <p>Attorneys admitted Pro Hac Vice must have an individual PACER account, not a shared firm account, to electronically file in the District of Massachusetts. To register for a PACER account, go the Pacer website at https://pacer.uscourts.gov/register-account. You must put the docket number under ADDITIONAL FILER INFORMATION on your form when registering or it will be rejected.</p>

		<p>Pro Hac Vice Admission Request Instructions https://www.mad.uscourts.gov/caseinfo/nextgen-pro-hac-vice.htm.</p> <p>A Notice of Appearance must be entered on the docket by the newly admitted attorney.</p> <p>Pursuant to Local Rule 83.5.3, local counsel shall also file an appearance in this matter. Further, local counsel shall review all filings and shall personally appear in Court for any hearings or conferences, unless expressly excused by the Court for good cause.(CAM) (Entered: 06/09/2025)</p>
06/09/2025	<u>88</u>	MOTION for Leave to File <i>Amicus Curiae Brief</i> by A Jewish Voice for Peace. (Attachments: # <u>1</u> Exhibit Amicus Curiae Brief, # <u>2</u> Affidavit Declaration of Stefanie Fox)(Weber, Rachel) (Entered: 06/09/2025)
06/09/2025	<u>89</u>	NOTICE of Appearance by Bina Ahmad on behalf of A Jewish Voice for Peace (Ahmad, Bina) (Entered: 06/09/2025)
06/09/2025	<u>90</u>	MOTION for Leave to File <i>Amicus Brief</i> by Muslim Legal Fund of America. (Attachments: # <u>1</u> Exhibit Proposed Brief, # <u>2</u> Supplement Motion PHV, # <u>3</u> Exhibit Declaratikon)(Stern, Mark) (Entered: 06/09/2025)
06/09/2025	<u>91</u>	First MOTION for Leave to Appear Pro Hac Vice by Muslim Legal Fund of America. (Attachments: # <u>1</u> Affidavit Declaration)(Stern, Mark) (Entered: 06/09/2025)
06/09/2025	92	Judge Allison D. Burroughs: ELECTRONIC ORDER entered GRANTING <u>86</u> , <u>88</u> Motions for Leave to File Amicus Briefs ; Counsel using the Electronic Case Filing System should now file the documents for which leave to file has been granted in accordance with the CM/ECF Administrative Procedures. Counsel must include – Leave to file granted on (date of order)– in the caption of the document. (CAM) (Entered: 06/09/2025)
06/09/2025	<u>93</u>	Filed in error, refiled with clearer PDF at ECF No. <u>95</u> . AMICUS BRIEF filed by A Jewish Voice for Peace . (Attachments: # <u>1</u> Affidavit)(Ahmad, Bina) Modified on 6/10/2025 (CAM). (Entered: 06/09/2025)
06/09/2025	<u>94</u>	AMICUS BRIEF filed by Public Citizen . (Stern, Mark) (Entered: 06/09/2025)
06/09/2025	<u>95</u>	AMICUS BRIEF filed by A Jewish Voice for Peace . (Attachments: # <u>1</u> Affidavit)(Ahmad, Bina) (Entered: 06/09/2025)
06/09/2025	96	Judge Allison D. Burroughs: ELECTRONIC ORDER entered GRANTING <u>90</u> Motion for Leave to File Amicus Brief ; Counsel using the Electronic Case Filing System should now file the document for which leave to file has been granted in accordance with the CM/ECF Administrative Procedures. Counsel must include – Leave to file granted on (date of order)– in the caption of the document. (CAM) (Entered: 06/09/2025)
06/09/2025	<u>97</u>	AMICUS BRIEF filed by Leadership Now Project <i>in Support of Plaintiff's Motion for Summary Judgment</i> . (Chen, Joy) (Entered: 06/09/2025)
06/10/2025	98	<u>ELECTRONIC NOTICE TO COUNSEL</u> re <u>91</u> First MOTION for Leave to Appear Pro Hac Vice of Christina A. Jump for the Legal Division of the Muslim Legal Fund of America, filed by Mark D. Stern. : The required payment of \$125.00 for admission for pro hac vice was bypassed in the filing of the motion. Counsel is directed to pay for the admission by submitting payment online using the <u>Notice of Attorney Payment of Fees</u> event, under Civil Events -> Other Filings -> Notices. This event requires a PDF document to be attached to the filing. Please use the first page of the motion to complete the submission. (CAM) (Entered: 06/10/2025)

06/10/2025	99	Judge Allison D. Burroughs: ELECTRONIC ORDER entered withdrawing <u>91</u> Motion for Leave to Appear Pro Hac Vice, having been notified by local counsel that it was filed in this case in error. (CAM) (Entered: 06/10/2025)
06/10/2025	<u>100</u>	MOTION for Leave to Appear Pro Hac Vice for admission of Paul Alan Levy Filing fee: \$ 125, receipt number AMADC-11059136 by Public Citizen. (Attachments: # <u>1</u> Affidavit Declaration, # <u>2</u> Exhibit Proposed Order)(Stern, Mark) (Entered: 06/10/2025)
06/10/2025	101	<p>Judge Allison D. Burroughs: ELECTRONIC ORDER entered granting <u>100</u> Motion for Leave to Appear Pro Hac Vice of Paul Alan Levy.</p> <p>Attorneys admitted Pro Hac Vice must have an individual PACER account, not a shared firm account, to electronically file in the District of Massachusetts. To register for a PACER account, go the Pacer website at https://pacer.uscourts.gov/register-account. You must put the docket number under ADDITIONAL FILER INFORMATION on your form when registering or it will be rejected.</p> <p>Pro Hac Vice Admission Request Instructions https://www.mad.uscourts.gov/caseinfo/nextgen-pro-hac-vice.htm.</p> <p>A Notice of Appearance must be entered on the docket by the newly admitted attorney.</p> <p>Pursuant to Local Rule 83.5.3, local counsel shall also file an appearance in this matter. Further, local counsel shall review all filings and shall personally appear in Court for any hearings or conferences, unless expressly excused by the Court for good cause.(CAM) (Entered: 06/10/2025)</p>
06/11/2025	<u>102</u>	NOTICE of Appearance by Paul Alan Levy on behalf of Public Citizen (Levy, Paul) (Entered: 06/11/2025)
06/16/2025	<u>103</u>	Cross MOTION for Summary Judgment <i>and Opposition to Plaintiffs' Motion for Summary Judgment</i> by Jayanta Bhattacharya, Pamela Bondi, Brian Stone, in his official capacity as Acting Director of NSF, Brooke L. Rollins, in her official capacity as Secretary of USDA, Christopher A. Wright, in his official capacity as Secretary of DOE, Stephen Ehikian, Josh Gruenbaum, Janet E. Petro, in her official capacity as Acting Administrator of NASA, Robert F. Kennedy, Jr., Sean R Keveney, Linda McMahon, National Aeronautics and Space Administration, National Institutes of Health, Peter B. Hegseth, in his official capacity as Secretary of DOD, Scott Turner, in his official capacity as Secretary of HUD, Leo Terrell, Craig Trainor, U.S. Department of Education, U.S. Department of Health and Human Services (HHS), U.S. General Services Administration, United States Department Of Justice, United States Department of Agriculture, United States Department of Defense, United States Department of Energy, United States Department of Housing and Urban Development, United States National Science Foundation, Thomas E Wheeler.(Khetarpal, Anuj) (Entered: 06/16/2025)
06/16/2025	<u>104</u>	MEMORANDUM in Support re <u>103</u> Cross MOTION for Summary Judgment <i>and Opposition to Plaintiffs' Motion for Summary Judgment</i> filed by Jayanta Bhattacharya, Pamela Bondi, Brian Stone, in his official capacity as Acting Director of NSF, Brooke L. Rollins, in her official capacity as Secretary of USDA, Christopher A. Wright, in his official capacity as Secretary of DOE, Stephen Ehikian, Josh Gruenbaum, Janet E. Petro, in her official capacity as Acting Administrator of NASA, Robert F. Kennedy, Jr., Sean R Keveney, Linda McMahon, National Aeronautics and Space Administration, National

		Institutes of Health, Peter B. Hegseth, in his official capacity as Secretary of DOD, Scott Turner, in his official capacity as Secretary of HUD, Leo Terrell, Craig Trainor, U.S. Department of Education, U.S. Department of Health and Human Services (HHS), U.S. General Services Administration, United States Department Of Justice, United States Department of Agriculture, United States Department of Defense, United States Department of Energy, United States Department of Housing and Urban Development, United States National Science Foundation, Thomas E Wheeler. (Khetarpal, Anuj) (Entered: 06/16/2025)
06/16/2025	<u>105</u>	Statement of Material Facts L.R. 56.1 re <u>103</u> Cross MOTION for Summary Judgment <i>and Opposition to Plaintiffs' Motion for Summary Judgment</i> filed by Jayanta Bhattacharya, Pamela Bondi, Brian Stone, in his official capacity as Acting Director of NSF, Brooke L. Rollins, in her official capacity as Secretary of USDA, Christopher A. Wright, in his official capacity as Secretary of DOE, Stephen Ehikian, Josh Gruenbaum, Janet E. Petro, in her official capacity as Acting Administrator of NASA, Robert F. Kennedy, Jr., Sean R Keveney, Linda McMahon, National Aeronautics and Space Administration, National Institutes of Health, Peter B. Hegseth, in his official capacity as Secretary of DOD, Scott Turner, in his official capacity as Secretary of HUD, Leo Terrell, Craig Trainor, U.S. Department of Education, U.S. Department of Health and Human Services (HHS), U.S. General Services Administration, United States Department Of Justice, United States Department of Agriculture, United States Department of Defense, United States Department of Energy, United States Department of Housing and Urban Development, United States National Science Foundation, Thomas E Wheeler. (Khetarpal, Anuj) (Entered: 06/16/2025)
06/20/2025	<u>106</u>	NOTICE of Appearance by P. Benjamin Duke on behalf of Leadership Now Project (Duke, P. Benjamin) (Entered: 06/20/2025)
06/20/2025	<u>107</u>	NOTICE of Appearance by Graham Michael Glusman on behalf of Leadership Now Project (Glusman, Graham) (Entered: 06/20/2025)
06/20/2025	<u>108</u>	NOTICE of Appearance by Joy A. Chen on behalf of Leadership Now Project (Chen, Joy) (Entered: 06/20/2025)
06/25/2025	<u>109</u>	NOTICE OF MANUAL FILING by American Association of University Professors, American Association of University Professors – Harvard Faculty Chapter, International Union, United Automobile, Aerospace and Agricultural Implement Workers of America. Flash drive containing audio and video files submitted as exhibits 5, 7, 12 and 13 re <u>77</u> Affidavit in Support of Motion. Physical Media Delivered to Chambers on 6/9/2025 , recorded on the docket on 6/25/2025 (CAM). (Entered: 06/25/2025)
06/30/2025	<u>110</u>	REPLY to Response to <u>103</u> Cross MOTION for Summary Judgment <i>and Opposition to Plaintiffs' Motion for Summary Judgment and Memorandum in Further Support of Plaintiffs' Motion</i> filed by American Association of University Professors, American Association of University Professors – Harvard Faculty Chapter, International Union, United Automobile, Aerospace and Agricultural Implement Workers of America. (Silverman, Daniel) (Entered: 06/30/2025)
06/30/2025	<u>111</u>	DECLARATION re <u>110</u> Reply to Response to Motion, <i>of Daniel Silverman</i> by American Association of University Professors, American Association of University Professors – Harvard Faculty Chapter, International Union, United Automobile, Aerospace and Agricultural Implement Workers of America. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2)(Silverman, Daniel) (Entered: 06/30/2025)
07/09/2025	<u>112</u>	NOTICE of Appearance by Jeremy Liss on behalf of Jayanta Bhattacharya, Pamela Bondi, Brian Stone, in his official capacity as Acting Director of NSF, Brooke L. Rollins, in her official capacity as Secretary of USDA, Christopher A. Wright, in his official capacity as

		Secretary of DOE, Stephen Ehikian, Josh Gruenbaum, Janet E. Petro, in her official capacity as Acting Administrator of NASA, Robert F. Kennedy, Jr., Sean R Keveney, Linda McMahon, National Aeronautics and Space Administration, National Institutes of Health, Peter B. Hegseth, in his official capacity as Secretary of DOD, Scott Turner, in his official capacity as Secretary of HUD, Leo Terrell, Craig Trainor, U.S. Department of Education, U.S. Department of Health and Human Services (HHS), U.S. General Services Administration, United States Department Of Justice, United States Department of Agriculture, United States Department of Defense, United States Department of Energy, United States Department of Housing and Urban Development, United States National Science Foundation, Thomas E Wheeler (Liss, Jeremy) (Entered: 07/09/2025)
07/10/2025	<u>113</u>	SUMMONS Returned Executed American Association of University Professors served on 4/14/2025, answer due 5/5/2025; American Association of University Professors – Harvard Faculty Chapter served on 4/14/2025, answer due 5/5/2025; International Union, United Automobile, Aerospace and Agricultural Implement Workers of America served on 4/14/2025, answer due 5/5/2025. (Attachments: # <u>1</u> Exhibit Bhattacharya POS, # <u>2</u> Exhibit DOE POS, # <u>3</u> Exhibit DOJ POS, # <u>4</u> Exhibit Ehikian POS, # <u>5</u> Exhibit Gruenbaum POS, # <u>6</u> Exhibit GSA POS, # <u>7</u> Exhibit HHS POS, # <u>8</u> Exhibit Kennedy POS, # <u>9</u> Exhibit Keveney POS, # <u>10</u> Exhibit McMahon POS, # <u>11</u> Exhibit NIH POS, # <u>12</u> Exhibit Terrell, # <u>13</u> Exhibit Trainor, # <u>14</u> Exhibit Wheeler)(Silverman, Daniel) (Entered: 07/10/2025)
07/11/2025	<u>114</u>	SUMMONS Returned Executed Jayanta Bhattacharya served on 4/14/2025, answer due 5/5/2025 (Silverman, Daniel) (Entered: 07/11/2025)
07/11/2025	<u>115</u>	SUMMONS Returned Executed Pamela Bondo served on 4/14/2025, answer due 5/5/2025 (Silverman, Daniel) (Entered: 07/11/2025)
07/11/2025	<u>116</u>	SUMMONS Returned Executed US Department of Education served on 4/14/2025, answer due 5/5/2025 (Silverman, Daniel) (Entered: 07/11/2025)
07/11/2025	<u>117</u>	SUMMONS Returned Executed US Department of Justice served on 4/14/2025, answer due 5/5/2025 (Silverman, Daniel) (Entered: 07/11/2025)
07/11/2025	<u>118</u>	SUMMONS Returned Executed Stephen Ehikian served on 4/14/2025, answer due 5/5/2025. (Silverman, Daniel) (Entered: 07/11/2025)
07/11/2025	<u>119</u>	SUMMONS Returned Executed Josh Gruenbaum served on 4/14/2025, answer due 5/5/2025. (Silverman, Daniel) (Entered: 07/11/2025)
07/11/2025	<u>120</u>	SUMMONS Returned Executed U.S. General Services Administration served on 4/14/2025, answer due 5/5/2025. (Silverman, Daniel) (Entered: 07/11/2025)
07/11/2025	<u>121</u>	SUMMONS Returned Executed U.S. Department of Health and Human Services (HHS) served on 4/14/2025, answer due 5/5/2025. (Silverman, Daniel) (Entered: 07/11/2025)
07/11/2025	<u>122</u>	SUMMONS Returned Executed Robert F. Kennedy, Jr. served on 4/14/2025, answer due 5/5/2025. (Silverman, Daniel) (Entered: 07/11/2025)
07/11/2025	<u>123</u>	SUMMONS Returned Executed Sean R Keveney served on 4/14/2025, answer due 5/5/2025. (Silverman, Daniel) (Entered: 07/11/2025)
07/11/2025	<u>124</u>	SUMMONS Returned Executed Linda McMahon served on 4/14/2025, answer due 5/5/2025. (Silverman, Daniel) (Entered: 07/11/2025)
07/11/2025	<u>125</u>	SUMMONS Returned Executed National Institutes of Health served on 4/14/2025, answer due 5/5/2025. (Silverman, Daniel) (Entered: 07/11/2025)

07/11/2025	<u>126</u>	SUMMONS Returned Executed Leo Terrell served on 4/14/2025, answer due 5/5/2025. (Silverman, Daniel) (Entered: 07/11/2025)
07/11/2025	<u>127</u>	SUMMONS Returned Executed Craig Trainor served on 4/14/2025, answer due 5/5/2025. (Silverman, Daniel) (Entered: 07/11/2025)
07/11/2025	<u>128</u>	SUMMONS Returned Executed Thomas E Wheeler served on 4/14/2025, answer due 5/5/2025. (Silverman, Daniel) (Entered: 07/11/2025)
07/14/2025	<u>129</u>	MOTION to Withdraw as Attorney (<i>AUSA Farquhar and AUSA Khetarpal</i>) by Jayanta Bhattacharya, Pamela Bondi, Brian Stone, in his official capacity as Acting Director of NSF, Brooke L. Rollins, in her official capacity as Secretary of USDA, Christopher A. Wright, in his official capacity as Secretary of DOE, Stephen Ehikian, Josh Gruenbaum, Janet E. Petro, in her official capacity as Acting Administrator of NASA, Robert F. Kennedy, Jr., Sean R Keveney, Linda McMahon, National Aeronautics and Space Administration, National Institutes of Health, Peter B. Hegseth, in his official capacity as Secretary of DOD, Scott Turner, in his official capacity as Secretary of HUD, Leo Terrell, Craig Trainor, U.S. Department of Education, U.S. Department of Health and Human Services (HHS), U.S. General Services Administration, United States Department Of Justice, United States Department of Agriculture, United States Department of Defense, United States Department of Energy, United States Department of Housing and Urban Development, United States National Science Foundation, Thomas E Wheeler.(Khetarpal, Anuj) (Entered: 07/14/2025)
07/14/2025	<u>130</u>	REPLY to Response to <u>103</u> Cross MOTION for Summary Judgment <i>and Opposition to Plaintiffs' Motion for Summary Judgment</i> filed by Jayanta Bhattacharya, Pamela Bondi, Brian Stone, in his official capacity as Acting Director of NSF, Brooke L. Rollins, in her official capacity as Secretary of USDA, Christopher A. Wright, in his official capacity as Secretary of DOE, Stephen Ehikian, Josh Gruenbaum, Janet E. Petro, in her official capacity as Acting Administrator of NASA, Robert F. Kennedy, Jr., Sean R Keveney, Linda McMahon, National Aeronautics and Space Administration, National Institutes of Health, Peter B. Hegseth, in his official capacity as Secretary of DOD, Scott Turner, in his official capacity as Secretary of HUD, Leo Terrell, Craig Trainor, U.S. Department of Education, U.S. Department of Health and Human Services (HHS), U.S. General Services Administration, United States Department Of Justice, United States Department of Agriculture, United States Department of Defense, United States Department of Energy, United States Department of Housing and Urban Development, United States National Science Foundation, Thomas E Wheeler. (Liss, Jeremy) (Entered: 07/14/2025)
07/15/2025	131	Judge Allison D. Burroughs: ELECTRONIC ORDER entered granting <u>129</u> Motion to Withdraw as Attorney. Attorney Rayford A. Farquhar and Anuj K. Khetarpal terminated. (KF) (Entered: 07/15/2025)
07/15/2025	<u>132</u>	APPENDIX/EXHIBIT <i>Joint Redacted</i> by Jayanta Bhattacharya, Pamela Bondi, Brian Stone, in his official capacity as Acting Director of NSF, Brooke L. Rollins, in her official capacity as Secretary of USDA, Christopher A. Wright, in his official capacity as Secretary of DOE, Stephen Ehikian, Josh Gruenbaum, Janet E. Petro, in her official capacity as Acting Administrator of NASA, Robert F. Kennedy, Jr., Sean R Keveney, Leadership Now Project, Linda McMahon, National Aeronautics and Space Administration, National Institutes of Health, Peter B. Hegseth, in his official capacity as Secretary of DOD, Scott Turner, in his official capacity as Secretary of HUD, Leo Terrell, Craig Trainor, U.S. Department of Education, U.S. Department of Health and Human Services (HHS), U.S. General Services Administration, United States Department Of Justice, United States Department of Agriculture, United States Department of Defense, United States Department of Energy, United States Department of Housing and Urban Development, United States National

		Science Foundation, Thomas E Wheeler. (Attachments: # <u>1</u> Appendix Part 2, # <u>2</u> Appendix Part 3, # <u>3</u> Appendix Part 4, # <u>4</u> Appendix Part 5, # <u>5</u> Appendix Part 6, # <u>6</u> Appendix Part 7, # <u>7</u> Appendix Part 8, # <u>8</u> Appendix Part 9, # <u>9</u> Appendix Part 10, # <u>10</u> Appendix Part 11, # <u>11</u> Appendix Part 12, # <u>12</u> Appendix Part 13, # <u>13</u> Appendix Part 14, # <u>14</u> Appendix Part 15, # <u>15</u> Appendix Part 16, # <u>16</u> Appendix Part 17, # <u>17</u> Appendix Part 18, # <u>18</u> Appendix Part 19, # <u>19</u> Appendix Part 20, # <u>20</u> Appendix Part 21, # <u>21</u> Appendix Part 22, # <u>22</u> Appendix Part 23, # <u>23</u> Appendix Part 24)(Liss, Jeremy) (Entered: 07/15/2025)
07/15/2025	<u>133</u>	NOTICE of Appearance by Michael Velchik on behalf of Jayanta Bhattacharya, Pamela Bondi, Brian Stone, in his official capacity as Acting Director of NSF, Brooke L. Rollins, in her official capacity as Secretary of USDA, Christopher A. Wright, in his official capacity as Secretary of DOE, Stephen Ehikian, Josh Gruenbaum, Janet E. Petro, in her official capacity as Acting Administrator of NASA, Robert F. Kennedy, Jr., Sean R Keveney, Linda McMahon, National Aeronautics and Space Administration, National Institutes of Health, Peter B. Hegseth, in his official capacity as Secretary of DOD, Scott Turner, in his official capacity as Secretary of HUD, Leo Terrell, Craig Trainor, U.S. Department of Education, U.S. Department of Health and Human Services (HHS), U.S. General Services Administration, United States Department Of Justice, United States Department of Agriculture, United States Department of Defense, United States Department of Energy, United States Department of Housing and Urban Development, United States National Science Foundation, Thomas E Wheeler (Velchik, Michael) (Entered: 07/15/2025)
07/17/2025	<u>134</u>	MOTION for Leave to Appear Pro Hac Vice for admission of Aine C. Carolan Filing fee: \$ 125, receipt number AMADC-11128047 by American Association of University Professors, American Association of University Professors – Harvard Faculty Chapter, International Union, United Automobile, Aerospace and Agricultural Implement Workers of America. (Attachments: # <u>1</u> Affidavit Certification of Aine Carolan)(Silverman, Daniel) (Entered: 07/17/2025)
07/18/2025	135	Judge Allison D. Burroughs: ELECTRONIC ORDER entered granting <u>134</u> Motion for Leave to Appear Pro Hac Vice Added Aine Carolan. Attorneys admitted Pro Hac Vice must have an individual PACER account, not a shared firm account, to electronically file in the District of Massachusetts. To register for a PACER account, go the Pacer website at https://pacer.uscourts.gov/register-account. You must put the docket number under ADDITIONAL FILER INFORMATION on your form when registering or it will be rejected. Pro Hac Vice Admission Request Instructions https://www.mad.uscourts.gov/caseinfo/nextgen-pro-hac-vice.htm . Pursuant to Local Rule 83.5.3, local counsel shall also file an appearance in this matter. Further, local counsel shall review all filings and shall personally appear in Court for any hearings or conferences, unless expressly excused by the Court for good cause. (KF) (Entered: 07/18/2025)
07/18/2025	<u>136</u>	NOTICE of Appearance by Aine Constance Carolan on behalf of American Association of University Professors, American Association of University Professors – Harvard Faculty Chapter, International Union, United Automobile, Aerospace and Agricultural Implement Workers of America (Carolan, Aine) (Entered: 07/18/2025)
07/22/2025	137	Electronic Clerk's Notes for proceedings held before Judge Allison D. Burroughs: Motion

		Hearing held on 7/22/2025 regarding motions for summary judgment. Oral argument by the parties. Court takes matter under advisement. (Court Reporter: Kelly Mortellite at mortellite@gmail.com.) Associated Cases: 1:25-cv-11048-ADB, 1:25-cv-10910-ADB(KF) (Entered: 07/22/2025)
07/22/2025	<u>138</u>	Transcript of Motion Hearing held on July 21, 2025, before Judge Allison D. Burroughs. The Transcript may be purchased through the Court Reporter, viewed at the public terminal, or viewed through PACER after it is released. Court Reporter Name and Contact Information: Kelly Mortellite at mortellite@gmail.com. Redaction Request due 8/12/2025. Redacted Transcript Deadline set for 8/22/2025. Release of Transcript Restriction set for 10/20/2025. Associated Cases: 1:25-cv-11048-ADB, 1:25-cv-10910-ADB (DRK) (Entered: 07/22/2025)
07/22/2025	139	NOTICE is hereby given that an official transcript of a proceeding has been filed by the court reporter in the above-captioned matter. Counsel are referred to the Court's Transcript Redaction Policy, available on the court website at https://www.mad.uscourts.gov/caseinfo/transcripts.htm Associated Cases: 1:25-cv-11048-ADB, 1:25-cv-10910-ADB(DRK) (Entered: 07/22/2025)
08/24/2025	<u>140</u>	Notice of Supplemental Authorities re <u>74</u> MOTION for Summary Judgment (Attachments: # <u>1</u> Exhibit A)(Silverman, Daniel) (Entered: 08/24/2025)
09/03/2025	<u>141</u>	Judge Allison D. Burroughs: MEMORANDUM AND ORDER entered. The Court GRANTS the Organizational Plaintiffs' motion for summary judgment, [AAUP, ECF No. <u>74</u>], as to Counts I and IV and Defendants' cross motion for summary judgment as to Counts III, V, and VII. It DENIES Defendants' cross motion, [AAUP, ECF No. <u>103</u>], as to Counts VI and VIII. As to Count II, the Court GRANTS IN PART the Organizational Plaintiffs' motion with respect to the Freeze Orders and GRANTS IN PART Defendants' motion with respect to the Termination Letters, which it lacks jurisdiction to review under 5 U.S.C. § 706(2)(A). The Organizational Plaintiffs' and Defendants' summary judgment motions in Case No. 25-cv-10910 are otherwise DENIED . (CAM) (Entered: 09/03/2025)
09/10/2025	<u>142</u>	NOTICE of Voluntary Dismissal by American Association of University Professors, American Association of University Professors – Harvard Faculty Chapter, International Union, United Automobile, Aerospace and Agricultural Implement Workers of America (Sellers, Joseph) (Entered: 09/10/2025)
09/11/2025	143	Judge Allison D. Burroughs: ELECTRONIC ORDER entered. Pursuant to the parties' notice of voluntary dismissal, [ECF No. <u>142</u>], the Court DISMISSES Counts VI and VIII of the Second Amended Complaint. It is the Court's understanding that all claims have been resolved and that a final judgment should issue. The parties shall file a status report by <u>September 19, 2025</u> indicating whether any additional issues need to be resolved before a final judgment issues and submitting any proposed language for such a judgment. (CAM) (Entered: 09/11/2025)
09/19/2025	<u>144</u>	STATUS REPORT (<i>Joint</i>) by American Association of University Professors, American Association of University Professors – Harvard Faculty Chapter, International Union, United Automobile, Aerospace and Agricultural Implement Workers of America. (Sellers, Joseph) (Entered: 09/19/2025)
09/22/2025	145	Judge Allison D. Burroughs: ELECTRONIC ORDER entered. The Court grants the parties' request for additional time to work through implementation issues before a final judgment is entered, (144 in 1:25-cv-10910-ADB; 240 in 1:25-cv-11048-ADB). The parties shall file a status report by <u>October 3, 2025</u> . Associated Cases: 1:25-cv-10910-ADB, 1:25-cv-11048-ADB(CAM) (Entered: 09/22/2025)

10/01/2025	<u>146</u>	MOTION to Stay Deadline by Pamela Bondi, Stephen Ehikian, Peter B. Hegseth, Robert F. Kennedy, Jr, Linda M McMahon, National Aeronautics and Space Administration, National Institutes of Health, Sethuraman Panchanathan, Janet E. Petro, Brooke L. Rollins, Scott Turner, US Department of Agriculture, US Department of Defense, US Department of Education, US Department of Energy, US Department of Health and Human Services, US Department of Housing and Urban Development, US Department of Justice, US General Services Administration, US National Science Foundation, Christopher A. Wright. (KF) (Entered: 10/02/2025)
10/02/2025	<u>147</u>	Opposition re <u>146</u> MOTION to Stay filed by American Association of University Professors, American Association of University Professors – Harvard Faculty Chapter, International Union, United Automobile, Aerospace and Agricultural Implement Workers of America. (Attachments: # <u>1</u> Exhibit Proposed Order and Final Judgment)(Sellers, Joseph) (Entered: 10/02/2025)
10/02/2025	<u>148</u>	Judge Allison D. Burroughs: ELECTRONIC ORDER entered. Defendants' motion for a stay, [ECF No. <u>146</u>], is GRANTED IN PART and DENIED IN PART . The deadline to file a status report is extended until October 10, 2025. Defendants may renew their motion by that date. (CAM) (Entered: 10/02/2025)
10/08/2025	<u>149</u>	Second MOTION to Stay Deadline by Pamela Bondi, Stephen Ehikian, Peter B. Hegseth, Robert F. Kennedy, Jr, Linda M McMahon, National Aeronautics and Space Administration, National Institutes of Health, Sethuraman Panchanathan, Janet E. Petro, Brooke L. Rollins, Scott Turner, US Department of Agriculture, US Department of Defense, US Department of Education, US Department of Energy, US Department of Health and Human Services, US Department of Housing and Urban Development, US Department of Justice, US General Services Administration, US National Science Foundation, Christopher A. Wright. (KF) (Entered: 10/08/2025)
10/08/2025	<u>150</u>	Opposition re <u>149</u> MOTION to Stay filed by American Association of University Professors, American Association of University Professors – Harvard Faculty Chapter, International Union, United Automobile, Aerospace and Agricultural Implement Workers of America. (Sellers, Joseph) (Entered: 10/08/2025)
10/09/2025	<u>151</u>	Judge Allison D. Burroughs: ELECTRONIC ORDER entered. Defendants' second motion for a stay, [ECF No. <u>149</u>], is DENIED . The deadline to file a status report, see [ECF Nos. <u>143</u> , <u>145</u> , <u>148</u>], is extended until October 17, 2025. (CAM) (Entered: 10/09/2025)
10/17/2025	<u>152</u>	STATUS REPORT (<i>Joint</i>) by American Association of University Professors, American Association of University Professors – Harvard Faculty Chapter, International Union, United Automobile, Aerospace and Agricultural Implement Workers of America. (Attachments: # <u>1</u> Exhibit Proposed Order and Final Judgment)(Sellers, Joseph) (Entered: 10/17/2025)
10/20/2025	<u>153</u>	Judge Allison D. Burroughs: ORDER entered. ORDER AND FINAL JUDGMENT. (CAM) (Entered: 10/20/2025)
10/29/2025	<u>154</u>	MOTION to Stay <i>Deadline to File Motion for Attorney's Fees and Costs Pending Appeal</i> by American Association of University Professors, American Association of University Professors – Harvard Faculty Chapter, International Union, United Automobile, Aerospace and Agricultural Implement Workers of America. (Attachments: # <u>1</u> Text of Proposed Order)(Sellers, Joseph) (Entered: 10/29/2025)
10/30/2025	<u>155</u>	Judge Allison D. Burroughs: ELECTRONIC ORDER entered granting <u>154</u> Motion to Stay <i>Deadline to File Motion for Attorney's Fees and Costs Pending Appeal</i> . (KF) (Entered: 10/30/2025)

12/18/2025	<u>156</u>	NOTICE of Appearance by Eitan Sirkovich on behalf of Jayanta Bhattacharya, Pamela Bondi, Brian Stone, in his official capacity as Acting Director of NSF, Brooke L. Rollins, in her official capacity as Secretary of USDA, Christopher A. Wright, in his official capacity as Secretary of DOE, Stephen Ehikian, Josh Gruenbaum, Janet E. Petro, in her official capacity as Acting Administrator of NASA, Robert F. Kennedy, Jr., Sean R Keveney, Linda McMahon, National Aeronautics and Space Administration, National Institutes of Health, Peter B. Hegseth, in his official capacity as Secretary of DOD, Scott Turner, in his official capacity as Secretary of HUD, Leo Terrell, Craig Trainor, U.S. Department of Education, U.S. Department of Health and Human Services (HHS), U.S. General Services Administration, United States Department Of Justice, United States Department of Agriculture, United States Department of Defense, United States Department of Energy, United States Department of Housing and Urban Development, United States National Science Foundation, Thomas E Wheeler (Sirkovich, Eitan) (Entered: 12/18/2025)
12/18/2025	<u>157</u>	<p>NOTICE OF APPEAL as to <u>153</u> Judgment by Jayanta Bhattacharya, Pamela Bondi, Brian Stone, in his official capacity as Acting Director of NSF, Brooke L. Rollins, in her official capacity as Secretary of USDA, Christopher A. Wright, in his official capacity as Secretary of DOE, Stephen Ehikian, Josh Gruenbaum, Janet E. Petro, in her official capacity as Acting Administrator of NASA, Robert F. Kennedy, Jr., Sean R Keveney, Linda McMahon, National Aeronautics and Space Administration, National Institutes of Health, Peter B. Hegseth, in his official capacity as Secretary of DOD, Scott Turner, in his official capacity as Secretary of HUD, Leo Terrell, Craig Trainor, U.S. Department of Education, U.S. Department of Health and Human Services (HHS), U.S. General Services Administration, United States Department Of Justice, United States Department of Agriculture, United States Department of Defense, United States Department of Energy, United States Department of Housing and Urban Development, United States National Science Foundation, Thomas E Wheeler. Fee Status: US Government.</p> <p>NOTICE TO COUNSEL: A Transcript Report/Order Form, which can be downloaded from the First Circuit Court of Appeals web site at http://www.ca1.uscourts.gov MUST be completed and submitted to the Court of Appeals. Counsel shall register for a First Circuit CM/ECF Appellate Filer Account at http://pacer.psc.uscourts.gov/cmecf. Counsel shall also review the First Circuit requirements for electronic filing by visiting the CM/ECF Information section at http://www.ca1.uscourts.gov/cmecf. US District Court Clerk to deliver official record to Court of Appeals by 1/7/2026. (Sirkovich, Eitan) (Entered: 12/18/2025)</p>
12/21/2025	<u>158</u>	NOTICE of Withdrawal of Appearance by Margaret E Wydman (Wydman, Margaret) (Entered: 12/21/2025)

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

AMERICAN ASSOCIATION OF
UNIVERSITY PROFESSORS–HARVARD
FACULTY CHAPTER et al.,

Case No. 1:25-CV-10910-ADB

Plaintiffs,

v.

UNITED STATES DEPARTMENT OF
JUSTICE et al.,

Defendants.

ORDER AND FINAL JUDGMENT

For all the reasons stated in this Court’s September 3, 2025 Memorandum and Order, ECF No. 141 (the “Memorandum and Order”), which is incorporated herein, and pursuant to Federal Rule of Civil Procedure 58, it is hereby ORDERED, ADJUDGED, AND DECREED that:

1. The Termination Letters¹ are hereby **DECLARED** to violate Title VI of the Civil Rights Act, 42 U.S.C. § 2000d et seq., under 5 U.S.C. § 706(2)(C), (D) and judgment on Count I is therefore entered in favor of Plaintiffs on that basis.

¹ The term “Termination Letters” refers to: the May 6, 2025 Termination Letter from the National Institutes of Health; the May 9, 2025 Termination Letter from the United States Department of Agriculture; the May 9, 2025 Termination Letter from the National Aeronautics and Space Administration; the May 12, 2025 Termination Letter from the Department of Commerce; the May 12, 2025 Termination Letter from the Department of Defense; the May 12, 2025 Termination Letter from the Department of Energy; the May 12, 2025 Termination Letter from the Department of Housing and Urban Development; the May 12, 2025 Termination Letter from the National Science Foundation; the May 12, 2025 Termination Letter from the Department of Education; the May 19, 2025 Termination Letter from the Centers of Disease Control and Prevention; and the May 27, 2025 Termination Letter from the General Services Administration. All other capitalized terms not defined herein have the same meaning as in the Memorandum and Order.

2. The Freeze Orders² are hereby **DECLARED** arbitrary and capricious in violation of 5 U.S.C. § 706(2)(A) and judgment on Count II is therefore entered in favor of Plaintiffs in part on that basis.

3. The Freeze Orders are hereby **DECLARED** to violate the First Amendment under 5 U.S.C. § 706(2)(B) and judgment on Count IV is therefore entered in favor of Plaintiffs on that basis.

4. The Freeze Orders are **VACATED AND SET ASIDE** as arbitrary and capricious, in violation of 5 U.S.C. § 706(2)(A).

5. The Freeze Orders and Termination Letters are **VACATED AND SET ASIDE** as violative of the First Amendment under 5 U.S.C. § 706(2)(B).

6. All freezes and terminations of funding to Harvard made pursuant to the Freeze Orders and Termination Letters on or after April 14, 2025 are **VACATED AND SET ASIDE**.

7. The Termination Letters are **VACATED AND SET ASIDE** as violative of Title VI under 5 U.S.C. § 706(2)(C), (D).

8. All terminations of funding to Harvard made pursuant to the Termination Letters are **VACATED AND SET ASIDE**.

9. Defendants, their agents, and anyone acting in concert or participation with Defendants are hereby **PERMANENTLY ENJOINED** from:

- a. Implementing, instituting, maintaining, or giving any force or effect to Defendants' Freeze Orders, Termination Letters, and attendant unconstitutional conditions, as well as any terminations of, freezes of, or refusing to grant or to continue federal funding undertaken pursuant to the Freeze Orders and Termination Letters and their attendant unconstitutional conditions, including but not limited to:

² The term "Freeze Orders" refers to the April 14 Freeze Order and the May 5 Freeze Order as defined by the Memorandum and Order.

- (i) The April 3, 2025 Letter from the Federal Task Force to Combat Antisemitism;
 - (ii) The April 11, 2025 Letter from the Federal Task Force to Combat Antisemitism;
 - (iii) The April 14, 2025 Freeze Order;
 - (iv) The May 5, 2025 Freeze Order;
 - (v) The May 6, 2025 Termination Letter from the National Institutes of Health;
 - (vi) The May 9, 2025 Termination Letter from the United States Department of Agriculture;
 - (vii) The May 9, 2025 Termination Letter from the National Aeronautics and Space Administration;
 - (viii) The May 12, 2025 Termination Letter from the Department of Commerce;
 - (ix) The May 12, 2025 Termination Letter from the Department of Defense;
 - (x) The May 12, 2025 Termination Letter from the Department of Energy;
 - (xi) The May 12, 2025 Termination Letter from the Department of Housing and Urban Development;
 - (xii) The May 12, 2025 Termination Letter from the National Science Foundation;
 - (xiii) The May 12, 2025 Termination Letter from the Department of Education;
 - (xiv) The May 19, 2025 Termination Letter from the Centers of Disease Control and Prevention;
 - (xv) The May 20, 2025 announcement by the Department of Health and Human Services to cut \$60 million in multi-year grants to Harvard; and
 - (xvi) The May 27, 2025 Termination Letter from the General Services Administration.
- b. Issuing any other termination, fund freezes, stop work orders, or otherwise withholding payment on existing grants or other federal funding, or

refusing to award future grants, contracts, or other federal funding to Harvard in retaliation for the exercise of its First Amendment rights or the rights of its faculty and staff, for the purpose of suppressing disfavored speech, or on any purported grounds of discrimination without compliance with the terms of Title VI.

10. Judgment shall enter in favor of Defendants and against Plaintiffs on Counts III, V, and VII. Judgment shall enter in favor of Defendants in part on Count II with respect to the claim that the Termination Letters are arbitrary and capricious for lack of subject matter jurisdiction.

11. Judgment shall enter in favor of Defendants and against Plaintiffs on Counts VI and VIII pursuant to the parties' stipulation of dismissal with prejudice filed on September 10, 2025, ECF No. 142, and the Court's order of September 11, 2025, ECF No. 143.

12. This Judgment constitutes final resolution of all claims and operates as a final judgment pursuant to Federal Rule of Civil Procedure 58(b)(2) and the Court's determination that "all claims have been resolved and ... a final judgment should issue." ECF No. 143.

13. The Court retains jurisdiction to enforce this Judgment.

14. The Court expressly reserves jurisdiction over the issue of attorney's fees and costs. Any motion for attorney's fees shall be filed in accordance with Federal Rule of Civil Procedure 54(d).

The Clerk is directed to enter judgment in conformity with the foregoing forthwith.

Dated: October 20, 2025

/s/ Allison D. Burroughs

HON. ALLISON D. BURROUGHS
U.S. DISTRICT JUDGE

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

PRESIDENT AND FELLOWS OF
HARVARD COLLEGE,

Plaintiff,

v.

UNITED STATES DEPARTMENT OF
HEALTH AND HUMAN SERVICES, et al.,

Defendants.

Case No. 1:25-cv-11048-ADB

AMERICAN ASSOCIATION OF
UNIVERSITY PROFESSORS—HARVARD
FACULTY CHAPTER et al.,

Plaintiffs,

v.

UNITED STATES DEPARTMENT OF
JUSTICE et al.,

Defendants.

Case No. 1:25-CV-10910-ADB

NOTICE OF APPEAL

PLEASE TAKE NOTICE that Defendants hereby appeal to the United States Court of Appeals for the First Circuit from this Court’s Order Entering Final Judgment, entered in Case No. 1:25-cv-11048-ADB at [ECF No. 247](#) and dated October 20, 2025, as well as this Court’s Order and Final Judgment entered in Case No. 1:25-CV-10910-ADB at [ECF No. 153](#) and dated October 20, 2025.

Dated: December 18, 2025

Respectfully submitted,

ABHISHEK KAMBLI
Deputy Associate Attorney General

BRETT A. SHUMATE
Assistant Attorney General
Civil Division

JOSEPH BORSON
Assistant Director, Federal Programs Branch

/s/ Eitan R. Sirkovich

EITAN R. SIRKOVICH
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CERTIFICATE OF SERVICE

Counsel for Defendants certify that they have submitted the foregoing document with the clerk of court for the District of Massachusetts, using the electronic case filing system of the Court. Counsel for Defendant hereby certify that they have served all parties electronically or by another manner authorized by Fed. R. Civ. P. 5(b)(2).

/s/ Eitan R. Sirkovich
Eitan R. Sirkovich

United States Court of Appeals For the First Circuit

No. 25-2231

AMERICAN ASSOCIATION OF UNIVERSITY PROFESSORS, Harvard Faculty Chapter;
AMERICAN ASSOCIATION OF UNIVERSITY PROFESSORS; INTERNATIONAL
UNION, UNITED AUTOMOBILE, AEROSPACE & AGRICULTURAL IMPLEMENT
WORKERS OF AMERICA; MUSLIM LEGAL FUND OF AMERICA,

Plaintiffs - Appellees,

v.

UNITED STATES DEPARTMENT OF JUSTICE; LEO TERRELL, in the official capacity as Senior Counsel to the Assistant Attorney General for Civil Rights and head of the DOJ Task Force to Combat Anti-Semitism; UNITED STATES DEPARTMENT OF EDUCATION; CRAIG TRAINOR, in the official capacity as Acting Assistant Secretary for the Office for Civil Rights, U.S. Department of Education; THOMAS E. WHEELER, in the official capacity as Acting General Counsel of the U.S. Department of Education; ROBERT F. KENNEDY, JR., in the official capacity as the U.S. Secretary of Health and Human Services; SEAN R. KEVENEY, in the official capacity as Acting General Counsel of the U.S. Department of Health and Human Services; JAYANTA BHATTACHARYA, in the official capacity as the Director of the National Institutes of Health; STEPHEN EHIKIAN, in the official capacity as Acting Administrator of the U.S. General Services Administration; JOSH GRUENBAUM, in the official capacity as Commissioner of the Federal Acquisition Service; PAMELA BONDI, in the official capacity as U.S. Attorney General; LINDA MCMAHON, in the official capacity as the U.S. Secretary of Education; UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES (HHS); NATIONAL INSTITUTES OF HEALTH; UNITED STATES GENERAL SERVICES ADMINISTRATION; BRIAN STONE, in the official capacity as Acting Director of NSF; JANET E. PETRO, in the official capacity as Acting Administrator of NASA; UNITED STATES DEPARTMENT OF DEFENSE; UNITED STATES DEPARTMENT OF HOUSING & URBAN DEVELOPMENT; UNITED STATES DEPARTMENT OF ENERGY; UNITED STATES NATIONAL SCIENCE FOUNDATION; BROOKE L. ROLLINS, in the official capacity as Secretary of U.S. Department of Agriculture; UNITED STATES DEPARTMENT OF AGRICULTURE; SCOTT TURNER, in the official capacity as Secretary of HUD; NATIONAL AERONAUTICS AND SPACE ADMINISTRATION; CHRISTOPHER A. WRIGHT, in the official capacity as Secretary of Department of Energy; PETER B. HEGSETH, in the official capacity as Secretary of Department of Defense,

Defendants - Appellants.

CASE OPENING NOTICE

Issued: December 31, 2025

The above-captioned appeal was docketed in this court today pursuant to Rule 12 of the Federal Rules of Appellate Procedure. The above case number and caption (unless modified or amended as reflected in the heading of future court notices or orders) should be used on all papers subsequently submitted to this court. If any party disagrees with the clerk's office's designation of the parties on appeal, it must file a motion to amend the caption with any supporting documentation attached. Absent an order granting such a motion, the parties are directed to use the above caption on all pleadings related to this case.

Appellant must complete and return the following forms to the clerk's office by **January 14, 2026** to be deemed timely filed:

- [Appearance Form](#)
- [Transcript Report/Order Form](#) (Please carefully read the instructions for completing and filing this form.)
- [Docketing Statement](#)

These forms are available on the court's website at www.ca1.uscourts.gov, under "Forms & Notices." Failure to comply with the deadlines set by the court may result in dismissal of the appeal for lack of diligent prosecution. See 1st Cir. R. 3.0, 10.0, and 45.0.

Upon confirmation by the circuit clerk that the record is complete either because no hearing was held, no transcript is necessary, or the transcript is on file, the clerk's office will set the briefing schedule and forward a scheduling notice to the parties.

Unless the appellant was already determined to be in forma pauperis in the underlying district court action, or was determined to be financially unable to obtain an adequate defense in a criminal case, see Fed. R. App. P. 24(a)(3), a filing fee is due within seven days of filing the notice of appeal. An appellant not already determined to be indigent, who seeks to appeal in forma pauperis, must file a motion and financial affidavit in the district court in compliance with Fed. R. App. P. 24. For an appellant not already determined to be indigent, failure to pay the filing fee or file a motion seeking in forma pauperis status with the district court within fourteen days of the date of this notice, may result in the appeal being dismissed for lack of prosecution. 1st Cir. R. 3.0(b).

An appearance form should be completed and returned immediately by any attorney who wishes to file pleadings in this court. 1st Cir. R. 12.0(a) and 46.0(a)(2). Any attorney who has not been admitted to practice before the First Circuit Court of Appeals must submit an application and fee for admission using the court's Case Management/Electronic Case Files ("CM/ECF")

system prior to filing an appearance form. 1st Cir. R. 46.0(a). *Pro se* parties are not required to file an appearance form.

Dockets, opinions, rules, forms, attorney admission applications, the court calendar and general notices can be obtained from the court's website at www.ca1.uscourts.gov. Your attention is called specifically to the notice(s) listed below:

- [Notice to Counsel and Pro Se Litigants](#)
- [Transcript Notice](#)

If you wish to inquire about your case by telephone, please contact the case manager at the direct extension listed below.

Anastasia Dubrovsky, Clerk

UNITED STATES COURT OF APPEALS
FOR THE FIRST CIRCUIT
John Joseph Moakley
United States Courthouse
1 Courthouse Way, Suite 2500
Boston, MA 02210
Case Manager: Jennifer - (617) 748-9885

United States Court of Appeals For the First Circuit

NOTICE OF ELECTRONIC AVAILABILITY OF CASE INFORMATION

The First Circuit has implemented the Federal Judiciary's Case Management/Electronic Case Files System ("CM/ECF") which permits documents to be filed electronically. In addition, most documents filed in paper are scanned and attached to the docket. In social security and immigration cases, members of the general public have remote electronic access through PACER only to opinions, orders, judgments or other dispositions of the court. Otherwise, public filings on the court's docket are remotely available to the general public through PACER. Accordingly, parties should not include in their public filings (including attachments or appendices) information that is too private or sensitive to be posted on the internet.

Specifically, Fed. R. App. P. 25(a)(5), Fed. R. Bank. P. 9037, Fed. R. Civ. P. 5.2 and Fed. R. Cr. P. 49.1 require that parties not include, or partially redact where inclusion is necessary, the following personal data identifiers from documents filed with the court unless an exemption applies:

- **Social Security or Taxpayer Identification Numbers.** If an individual's social security or taxpayer identification number must be included, only the last four digits of that number should be used.
- **Names of Minor Children.** If the involvement of a minor child must be mentioned, only the initials of that child should be used.
- **Dates of Birth.** If an individual's date of birth must be included, only the year should be used.
- **Financial Account Numbers.** If financial account numbers are relevant, only the last four digits of these numbers should be used.
- **Home Addresses in Criminal Cases.** If a home address must be included, only the city and state should be listed.

See also 1st Cir. R. 25.0(m).

If the caption of the case contains any of the personal data identifiers listed above, the parties should file a motion to amend caption to redact the identifier.

Parties should exercise caution in including other sensitive personal data in their filings, such as personal identifying numbers, medical records, employment history, individual financial information, proprietary or trade secret information, information regarding an individual's cooperation with the government, information regarding the victim of any criminal activity, national security information, and sensitive security information as described in 49 U.S.C. § 114.

Attorneys are urged to share this notice with their clients so that an informed decision can be made about inclusion of sensitive information. The clerk will not review filings for redaction. Filers are advised that it is the experience of this court that failure to comply with redaction requirements is most apt to occur in attachments, addenda, or appendices, and, thus, special attention should be given to them. For further information, including a list of exemptions from the redaction requirement, see <http://www.privacy.uscourts.gov/>.

United States Court of Appeals For the First Circuit

NOTICE TO COUNSEL REGARDING MANDATORY REGISTRATION AND TRAINING FOR ELECTRONIC FILING (CM/ECF)

On August 21, 2017, the U.S. Court of Appeals for the First Circuit upgraded its CM/ECF system to NextGen CM/ECF, the latest iteration of the electronic case filing system. Use of the electronic filing system is mandatory for attorneys. If you intend to file documents and/or receive notice of docket activity in this case, please ensure you have completed the following steps:

- **Obtain a NextGen account.** Attorneys who had an e-filing account in this court prior to August 21, 2017 are required to update their legacy account in order to file documents in the NextGen system. Attorneys who have never had an e-filing account in this court must register for an account at www.pacer.gov. For information on updating your legacy account or registering for a new account, go to the court's website at www.ca1.uscourts.gov and select *E-Filing (Information)*.
- **Apply for admission to the bar of this court.** Attorneys who wish to e-file must be a member of the bar of this court. For information on attorney admissions, go to the court's website at www.ca1.uscourts.gov and select *Attorney Admissions* under the *Attorney & Litigants* tab. Bar admission is not required for attorneys who wish to receive notice of docket activity, but do not intend to e-file.
- **Review Local Rule 25.** For information on Loc. R. 25.0, which sets forth the rules governing electronic filing, go to the court's website at www.ca1.uscourts.gov and select *First Circuit Rulebook* under the *Rules & Procedures* tab.

United States Court of Appeals For the First Circuit

ORDER OF COURT

Entered: February 9, 2021

In response to recent disclosures of wide-spread breaches of both private sector and government computer systems, the Court has adopted new security procedures to protect any highly sensitive document (HSD) filed with the Court that, if improperly disclosed, could cause harm to the United States, the Federal Judiciary, litigants, or others.

HSDs are documents containing information that is likely to be of interest to the intelligence service of a foreign government and the use or disclosure of such information by a hostile foreign government would likely cause significant harm to the United States or its interests. Examples of HSDs include unclassified sealed documents involving national security, foreign sovereign interests, criminal activity related to cybersecurity or terrorism, investigation of public officials, and extremely sensitive commercial information likely to be of interest to foreign powers.

The following types of sealed documents, if they do not fall into one of the categories above, typically will not qualify as HSDs: (1) presentence reports and related documents; (2) pleadings related to cooperation in criminal cases; (3) Social Security records; (4) administrative immigration records; and (5) most sealed documents in civil cases.

The designation of a document as highly sensitive is typically made by the district court or originating agency. Documents that have previously been designated by the district court or an agency as highly sensitive will ordinarily be treated in the same manner by this court. See 1st Cir. R. 11.0(c)(1).

If a document qualifies as an HSD as that term is described above, a filer is required to file a motion to treat that document as an HSD. The movant must serve the motion and the proposed HSD on all other parties by mail with proof of service under Fed. R. App. P. 25(d)(1). The motion and each proposed HSD should be conspicuously marked as a “HIGHLY SENSITIVE DOCUMENT” and placed inside an envelope marked “HIGHLY SENSITIVE.” The motion to treat a document as an HSD should be filed contemporaneously with the filing of a motion to seal the document and should be filed in paper format only under the procedures and requirements of 1st Cir. R. 11.0(c). The motion must set forth in detail why the proposed document constitutes a highly sensitive document under the criteria set out in this order, including the specific grounds for asserting that the document contains information that is likely to be of interest to the intelligence service of a foreign government and the use or disclosure of such information by a hostile foreign government would likely cause significant harm to the United States or its interests. Conclusory assertions will not be deemed a sufficient basis for filing a motion to treat a sealed document as an HSD. If a filer believes that a previously filed document in an ongoing case before

the court qualifies as an HSD, a motion to treat the sealed document as an HSD may be filed. There is no need to file such a motion in a closed case.

/s/ Jeffrey R. Howard
Jeffrey R. Howard
Chief Judge

cc:

Bina Ahmad
Sean Baldwin
Benjamin D. Brown
Aine Constance Carolan
Joy A. Chen
P. Benjamin Duke
Graham Michael Glusman
Paul Alan Levy
Jeremy Liss
Donald Campbell Lockhart
Hannah Miles
Drake Reed
Philippe Z. Selendy
Joseph M. Sellers
Daniel H. Silverman
Julie Rose Singer
Eitan R. Sirkovich
Mark David Stern
Corey Stoughton
Ryan Underwood
Michael Velchik
Rachel L. Weber
Phoebe Wolfe

United States Court of Appeals For the First Circuit

NOTICE TO ALL CM/ECF USERS REGARDING "NATIVE" PDF REQUIREMENT

All documents filed electronically with the court must be submitted as "native" Portable Document ("PDF") files. See 1st Cir R. 25.0. A **native PDF file** is created by electronically converting a word processing document to PDF using Adobe Acrobat or similar software. A **scanned PDF file** is created by putting a paper document through an optical scanner. Use a scanner **ONLY** if you do not have access to an electronic version of the document that would enable you to prepare a native PDF file. If you fail to file a document in the correct format, you will be asked to resubmit it.