

United States Court of Appeals For the First Circuit

No. 25-2237

AMERICAN HOSPITAL ASSOCIATION; ST. MARY'S REGIONAL MEDICAL CENTER;
MAINE HOSPITAL ASSOCIATION; NATHAN LITTAUER HOSPITAL AND NURSING
HOME; UNITY MEDICAL CENTER; DALLAS COUNTY MEDICAL CENTER,

Plaintiffs - Appellees

v.

ROBERT F. KENNEDY, JR., Secretary of the US Department of Health and Human Services;
THOMAS J. ENGELS, Administrator Health Resources and Services Administration; HEALTH
RESOURCES & SERVICES ADMINISTRATION; UNITED STATES DEPARTMENT OF
HEALTH AND HUMAN SERVICES; UNITED STATES,
Defendants,

ABBVIE INC.; ASTRAZENECA PHARMACEUTICAL LP; PHARMACYCLICS LLC;
BOEHRINGER INGELHEIM PHARMACEUTICALS, INC.; NOVO NORDISK INC.;
PHARMACEUTICAL RESEARCH AND MANUFACTURERS OF AMERICA,

Interested Parties - Appellants.

ORDER OF COURT

Entered: March 6, 2026
Pursuant to 1st Cir. R. 27.0(d)

On December 30, 2025, Appellants AbbVie Inc., Pharmacyclics LLC, AstraZenaca Pharmaceuticals LP, Boehringer Ingelheim Pharmaceuticals, Inc., Novo Nordisk Inc., and Pharmaceutical Research and Manufacturers of America filed a notice of appeal (D. Ct. Dkt. #97) in civil case no. 2:25-cv-00600-LEW (D. Me.) appealing the district court's order entered on December 18, 2025, denying their motions to intervene. After Appellants filed their notice of appeal, the parties to the district court case filed a joint motion for vacatur and remand, and the district court allowed the motion on February 10, 2026. As a result, it appears that this appeal may have become moot, as there is no longer a pending case in which Appellants could intervene. See, e.g., Am. Inst. for Foreign Study, Inc. v. Fernandez-Jimenez, 6 F.4th 120, 123 (1st Cir. 2021) ("we would be unable to grant [party] any relief even if we ruled in his favor. Thus, his claim is moot."); Oakville Dev. Corp. v. FDIC, 986 F.2d 611, 613 (1st Cir. 1993) ("It is well established that, in circumstances where a court cannot provide effectual relief, no justiciable case remains and the court must dismiss the appeal as moot.").

Appellants are ordered to move for voluntary dismissal of the appeal pursuant to Fed. R. App. P. 42(b), or to show cause, in writing, why this appeal should not be dismissed for lack of jurisdiction. The failure to take action by **March 20, 2026**, will lead to dismissal of the appeal for lack of diligent prosecution. 1st Cir. R. 3.0(b).

By the Court:

Anastasia Dubrovsky, Clerk

cc:

Melissa A. Hewey
Karen L. Dunn
Jenifer N. Hartley
Lawrence Atkinson
Lindsay Feinberg
Maxwell A. Baldi
Jason Altabet
Jay S. Geller
Paul McDonald
Lucas L. Fortier
Matthew Scott Owen
Meredith M. Pohl
Nick Bell
Lucas Henry Funk
Edward S. MacColl
William B. Schultz
Alyssa Howard
Jeffrey L. Handwerker
Jeffrey D. Talbert
Allon Kedem
Daniel L. Rosenthal
Corin R. Swift
Kwaku A. Akowuah
Meenakshi Datta
Thomas Ross Brugato
Alfred Cecil Frawley IV
Kevin F. King
Daniel Gerard Randolph