

**UNITED STATES DISTRICT COURT
DISTRICT OF RHODE ISLAND**

STATE OF NEW YORK; *et al.*,

Plaintiffs,

v.

U.S. DEPARTMENT OF HEALTH
AND HUMAN SERVICES; *et al.*,

Defendants.

Civil Action No.
1:26-cv-00022-MRD-PAS

[PROPOSED] ORDER STAYING PROCEEDINGS

Good cause having been shown, the Court hereby orders:

1. Proceedings in this action are stayed pending resolution of the motions for summary judgment filed in *Rhode Island Coalition Against Domestic Violence v. Kennedy*, 1:25-cv-00342-MRD-PAS (D.R.I. Oct. 25, 2025) (“Related Case”), and thereafter until the parties submit their status report and proposal pursuant to Paragraph 4 (or as otherwise agreed by the parties and ordered by the Court).

2. During the pendency of the stay of proceedings of this action, Defendants agree to stay enforcement of the Title IX Certification (as described in Plaintiffs’ complaint filed on January 13, 2026 (ECF No. 1¹)) as to Plaintiffs in this action commensurate with the terms of the preliminary injunction entered in the Related Case (ECF No. 77), unless otherwise agreed by the parties or ordered by the Court.

¹ The “Title IX Certification” described in Plaintiffs’ Complaint is the funding condition issued by the U.S. Department of Health and Human Services on October 1, 2025 that makes certain grants contingent on the recipient certifying that they are “compliant with Title IX of the Education Amendments of 1972 . . . including requirements set forth in Presidential Executive Order 14168, titled *Defending Women from Gender Ideology Extremism and Restoring Biological Truth to the Federal Government*” and requires the recipient to certify that the requirement is a “material term” for purposes of the False Claims Act, 31 U.S.C. § 372 *et seq.*

3. The stay of enforcement shall apply to Plaintiff States, and all Plaintiff State Recipients, including Plaintiff State instrumentalities, agencies, subdivisions, grant administrators, and sub-grantees.

4. Within 20 business days of the resolution of the motions for summary judgment in the Related Case, the parties shall meet and confer in good faith regarding further proceedings in this action. Following that meet and confer, the parties shall submit a status report and proposal to the Court as to those further proceedings. If the parties are unable to reach agreement as to those further proceedings, they shall so indicate in their status report and proposal.

5. Plaintiffs reserve all rights to seek relief as to the Title IX Certification, including to seek preliminary relief, summary judgment, or file any other motion before the Court following resolution of the summary judgment motions in the Related Case and the lifting of the stay of this action. Plaintiffs also reserve all rights to seek relief from this Court or any other court as to any change or modification of the Title IX Certification by any of Defendants or its officials, or other attempts to implement Executive Order 14168, following the date of this order. Defendants likewise reserve all rights to defend the Title IX Certifications in further proceedings in this or other forums, including the right to cite any helpful precedent that may arise from the Related Case.

6. The parties agree that if any party to this action wishes to seek relief from the stay of this action, the parties will meet and confer in good faith. If the parties are unable to reach an agreement, the party or parties seeking relief may move the court to lift the stay for good cause shown.

7. The stay of proceedings and stay of enforcement are without prejudice to any party.

Agreed by the parties through their respective counsel:

Agreed to:

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IT IS SO ORDERED



Hon. Melissa R. DuBose
United States District Court Judge
District of Rhode Island

Dated: March 12, 2026.