

United States Court of Appeals For the First Circuit

No. 26-1503

AMERICAN ACADEMY OF PEDIATRICS; AMERICAN COLLEGE OF PHYSICIANS, INC.; AMERICAN PUBLIC HEALTH ASSOCIATION; INFECTIOUS DISEASES SOCIETY OF AMERICA; MASSACHUSETTS PUBLIC HEALTH ASSOCIATION, d/b/a Massachusetts Public Health Alliance; SOCIETY FOR MATERNAL-FETAL MEDICINE; MASSACHUSETTS CHAPTER OF THE AMERICAN ACADEMY OF PEDIATRICS; JANE DOE; JANE DOE 2; JANE DOE 3,

Plaintiffs - Appellees,

v.

ROBERT F. KENNEDY, JR., in the official capacity as Secretary of the Department of Health and Human Services; UNITED STATES FOOD & DRUG ADMINISTRATION; JAY BHATTACHARYA, in the official capacities as Director of the National Institutes of Health and as Acting Director of Centers for Disease Control and Prevention; NATIONAL INSTITUTES OF HEALTH; CENTERS FOR DISEASE CONTROL AND PREVENTION; UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES; KYLE DIAMANTAS, in the official capacity as Acting Commissioner of the Food and Drug Administration, DOES 1-50, Inclusive,

Defendants - Appellants.

ORDER OF COURT

Entered: August 19, 2026

This matter is before the court on defendants-appellants' "motion to calendar oral argument at the earliest available date or, in the alternative, to submit the appeal for decision on the briefs" and on plaintiffs-appellees' response to that motion. The motion is resolved as follows. Oral argument will be calendared for the next available date.

By the Court:

Anastasia Dubrovsky, Clerk

cc:

Donald Campbell Lockhart, Abraham R. George, Thomas Pulham, Michael L. Fitzgerald, Ashley Cheung Honold, Matthew Charles Zorn, Douglas C. Dreier, Stanley Edmund Woodward Jr., Robert E. Wanerman, Stuart M. Gerson, Elizabeth J. McEvoy, Kathleen Barrett, James J. Oh,

Richard H. Hughes IV, William Walters, Maurice Wells, Gianna Monet Costello, Robert N. Meltzer, Richard Jaffe, Jose A. Perez, Francisco Maria Negron Jr., Andrew Matthew London, David Steven Schumacher, Lyndsey A. Stults, Matthew E. Brown, Andrew J. Pincus, Natasha Harnwell-Davis, Allison Aviki, Graham White, Megan Barbero, Kyle H. Keraga, Scott P. Lewis, William J. Olson, Jeremiah Morgan, Joshua Bendor, Syreeta Tyrell, Clinton N. Garrett, Alexa Gabriela Salas, William M. Tong, Peter F. Neronha, William B. Schultz, Aaron Simcha Jon Zelinsky