



THE COMMONWEALTH OF MASSACHUSETTS
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September 2, 2026

VIA CM/ECF

Hon. Indira Talwani
United States District Court for the District of Massachusetts
One Courthouse Way
Boston, MA 02210

Re: *New Jersey, et al. v. Office of Management and Budget, et al.*
Civil Action No. 1:25-cv-11816-IT

Your Honor:

I write on behalf of the plaintiffs to provide further updates in response to the Court's instruction that plaintiffs promptly advise as to whether we continue to seek relief under Counts II and III, in light of the summary judgment decision as to Count I. *See* Dkt. No. 122, at 2 n.5, Dkt. No. 123 & Dkt. No. 129; *see also* Dkt. No. 124 (July 29, 2026 Letter from Plaintiffs).

Consistent with previous reports to the Court, plaintiffs and defendants have made considerable process towards an agreement on how best to move the case expeditiously towards final disposition, but the parties have not yet finalized a proposal for the Court. This is due in part to obligations of counsel for defendants in other emergent matters before this Court. Plaintiffs respectfully request to have until Friday, September 18, either to propose a course of action as to the remaining counts or to provide a status update on the parties' discussions.

Please let us know if the Court needs anything further from plaintiffs at this time.

Respectfully submitted,

/s/ Katherine Dirks

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cc: Counsel of record (via CM/ECF)