UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

COMMONWEALTH OF MASSACHUSETTS, *et al.*, Plaintiffs, v. NATIONAL INSTITUTE OF HEALTH, *et al.*, Defendant[s].	Civil Action No. 25-CV-10338-AK

ORDER GRANTING PLAINTIFF STATES' *EX PARTE* EMERGENCY MOTION FOR TEMPORARY RESTRAINING ORDER

ANGEL KELLEY, D.J.

Plaintiff States' *Ex Parte* Emergency Motion For Temporary Restraining Order [Dkt. 4] is **GRANTED**. Defendants and their officers, employees, servants, agents, appointees, and successors are hereby enjoined from taking any steps to implement, apply, or enforce the Rate Change Notice (NOT-OD-25- 068) within Plaintiff States until further order is issued by this Court. Counsel for Defendants shall file a status report with the Court within 24 hours of the entry of this Order, and at biweekly intervals thereafter, confirming the regular disbursement and obligation of federal financial assistance funds and reporting all steps that NIH, HHS and their officers, employees, servants, agents, appointees, and successors have taken to comply with the Court's temporary restraining order.

Defendants' opposition to the Motion is due by **Friday, February 14, 2025**. Plaintiff States may file a reply brief, limited to ten pages in length, by **Tuesday, February 18, 2025**. Counsel shall appear in-person for a hearing on the Motion at **10:00 AM** on **Friday, February**

21, 2025. Counsel for the Plaintiff States shall provide a copy of this Order, along with copies of the motion papers, to the following by **6:00 PM** today: Brad P. Rosenberg, Special Counsel, Federal Programs Branch, Civil Division, U.S. Department of Justice; Leah Foley, U.S. Attorney for the District of Massachusetts; and the Chief of the Civil Division of the U.S. Attorneys Office for the District of Massachusetts. Electronic service suffices.

This Temporary Restraining Order shall become effective immediately upon entry by this Court. It shall remain in effect until further order of this Court.

SO ORDERED.

Dated: February 10, 2025

/s/ Angel Kelley
Hon. Angel Kelley
United States District Judge