

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

CATHERINE JACKSON, *et al.*, individually
and on behalf of all others similarly situated

Plaintiffs,

v.

ROBERT F. KENNEDY, JR., in his official
capacity as Secretary of Health and Human
Services, *et al.*,¹

Defendants.

Civil Action No. 1:25-cv-1750-BAH

**DEFENDANTS' MOTION TO DISMISS PURSUANT TO FEDERAL RULES OF CIVIL
PROCEDURE 12(b)(1) AND 12(b)(6)**

Defendants respectfully move to dismiss the above-captioned proceeding pursuant to Federal Rules of Civil Procedure 12(b)(1) and 12(b)(6). In support of this motion, Defendants refer the Court to the accompanying Memorandum of Law in Support of Defendants' Motion to Dismiss Pursuant to Federal Rules of Civil Procedure 12(b)(1) and 12(b)(6).

¹ Pursuant to Federal Rule of Civil Procedure 25(d), Jim O'Neill, the Acting Director of the Centers for Disease Control and Prevention, is substituted as a Defendant in his official capacity for former-Director Susan Monarez.

Dated: September 5, 2025

Respectfully submitted,

BRETT A. SHUMATE
Assistant Attorney General

ELIZABETH J. SHAPIRO
Deputy Director, Federal Programs Branch

/s/ Alexander W. Resar
ALEXANDER W. RESAR
Trial Attorney
United States Department of Justice
Civil Division, Federal Programs Branch
1100 L ST. N.W.
Washington, DC 20005
Tel: (202) 616-8188
alexander.w.resar@usdoj.gov

Counsel for Defendants