

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

AMERICAN ACADEMY OF PEDIATRICS,
et al.,

Plaintiffs,

v.

ROBERT F. KENNEDY, JR., *et al.*,

Defendants.

Case No. 1:25-cv-11916-BEM

Defendants' Motion to Dismiss the Third Amended Complaint for Lack of Subject-Matter Jurisdiction and Failure to State a Claim for Relief

Defendants Robert F. Kennedy, Jr., in his official capacity as Secretary of Health and Human Services; United States Department of Health and Human Services; Jim O'Neill, in his official capacity as Acting Director of the Centers for Disease Control and Prevention ("CDC"); and CDC move this Court under Federal Rules of Civil Procedure 12(b)(1) and (6) to dismiss this action for lack of subject-matter jurisdiction and failure to state a claim for relief. The grounds for this motion are fully set forth in an accompanying memorandum.

November 19, 2025

Respectfully submitted,

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/s/ Isaac C. Belfer
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LOCAL RULE 7.1 CERTIFICATE

Per Local Rule 7.1, counsel for Defendants state that they conferred with counsel for Plaintiffs by email on November 19, 2025, and counsel for Plaintiffs stated that they oppose Defendants' Motion to Dismiss the Third Amended Complaint for Lack of Subject-Matter Jurisdiction and Failure to State a Claim for Relief.

/s/ Isaac C. Belfer
Isaac C. Belfer

CERTIFICATE OF SERVICE

I hereby certify that this document, filed through the CM/ECF system, will be sent via electronic mail to the registered participants as identified on the Notice of Electronic Filing.

November 19, 2025

/s/ Isaac C. Belfer
Isaac C. Belfer