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IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

**STATE OF CALIFORNIA; STATE OF ARIZONA;  
STATE OF COLORADO; STATE OF  
CONNECTICUT; STATE OF DELAWARE; STATE  
OF HAWAII; STATE OF ILLINOIS; STATE OF  
MAINE; STATE OF MARYLAND;  
COMMONWEALTH OF MASSACHUSETTS;  
STATE OF MICHIGAN; STATE OF MINNESOTA;  
STATE OF NEVADA; STATE OF NEW JERSEY;  
STATE OF NEW MEXICO; STATE OF NEW  
YORK; STATE OF OREGON; STATE OF RHODE  
ISLAND; STATE OF VERMONT; STATE OF  
WASHINGTON,**

Plaintiffs,

v.

**U.S. DEPARTMENT OF HEALTH AND HUMAN  
SERVICES; ROBERT F. KENNEDY, JR.,** in his  
official capacity as Secretary of the U.S.  
Department of Health and Human Services;  
**U.S. DEPARTMENT OF HOMELAND SECURITY;  
KRISTI NOEM,** in her official capacity as  
Secretary of Homeland Security,

Defendants.

3:25-cv-05536-VC

**STIPULATION TO SHORTEN TIME  
FOR PLAINTIFFS' MOTION FOR  
PRELIMINARY INJUNCTION**

|                |                     |
|----------------|---------------------|
| Proposed Date: | August 7, 2025      |
| Time:          | 10:00 a.m.          |
| Courtroom:     | Courtroom 4         |
| Judge:         | Hon. Vince Chhabria |
| Trial Date:    | Not set             |
| Action Filed:  | July 1, 2025        |

To resolve Plaintiffs' pending Motion to Shorten Time (ECF No. 44), and pursuant to Local Rules 6-1(b), 6-2(a), and 7-12, the parties hereby ask the Court to so order the parties' agreed-upon briefing and hearing schedule for Plaintiffs' proposed Motion for a Preliminary Injunction. In support of this stipulated agreement, the parties submit the following:

1. Plaintiffs are moving for a preliminary injunction that would (1) prohibit Defendants from transferring the States' Medicaid data files containing personally identifiable, protected health information to the Department of Homeland Security (DHS), DOGE, or any other federal agency; (2) prohibit Defendants from using such data for purposes of immigration enforcement, population surveillance, or other similar purposes; and (3) provide any additional preliminary relief that the Court deems proper and the interests of justice may require.

2. Plaintiffs are moving for this relief on the grounds that Defendant U.S. Department of Health and Human Services' (HHS) Centers for Medicare and Medicaid Services (CMS) has transferred the States' confidential Medicaid data to DHS, apparently for use in immigration enforcement activities, in violation of the U.S. Constitution's Spending Clause and the Administrative Procedure Act. Defendants have publicly taken the position that this data transfer was permitted under federal law.

3. As set forth in more detail in the declaration from counsel for Plaintiff the State of New York in support of Plaintiffs' Motion to Shorten Time (ECF No. 44-1), Plaintiffs seek an expedited hearing on this motion for multiple reasons. Plaintiffs believe that they are being subjected to ongoing harm by Defendants' actions, and that time is of the essence in seeking relief for those harms. In particular, Plaintiff States are concerned about the harms that would result if they transmitted additional productions of confidential Medicaid data to CMS (including quarterly review data submissions with a stated deadline of July 30, 2025) without assurances

that these productions will not be shared with other government agencies. Plaintiff States reasonably fear that their confidential Medicaid data will be shared by CMS with DHS (which Plaintiffs believe to be unlawful) if this Court does not intervene before those new data submissions.

4. For these reasons, as well as other reasons stated in their motion papers, Plaintiff States filed their motion for a preliminary injunction on Friday, July 11, 2025, along with motions seeking to expand page limits for their memorandum of law and a motion to shorten time for hearing that motion.

5. After meeting and conferring in good faith, counsel for the parties have agreed to the following proposed briefing and hearing schedule for Plaintiffs' motion for a preliminary injunction:

- a. Defendants' opposition papers are due on or before Friday July 25.
- b. Plaintiffs' reply papers are due on or before Thursday July 31.
- c. Oral argument on Plaintiffs' motion will be heard on Thursday August 7.

6. As part of this agreement, Defendants have agreed that any confidential Medicaid data transmitted by the Plaintiff States in response to quarterly review data requests or any other data request made by CMS as part of its administration and review of state Medicaid programs (but excluding T-MSIS data transmissions) as of the date of this stipulation will not be shared by HHS with DHS or any other federal agency until after the Court has heard and ruled on Plaintiffs' motion for a preliminary injunction.

7. For the good cause explained above, the parties request that the Court approve the schedule outlined above.

Dated: July 14, 2025

Respectfully submitted,

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