

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS**

AMERICAN PUBLIC HEALTH ASSOCIATION;  
IBIS REPRODUCTIVE HEALTH;  
INTERNATIONAL UNION, UNITED  
AUTOMOBILE, AEROSPACE, AND  
AGRICULTURAL IMPLEMENT WORKERS  
(UAW); BRITTANY CHARLTON; KATIE  
EDWARDS; PETER LURIE; and NICOLE  
MAPHIS

*Plaintiffs,*

v.

NATIONAL INSTITUTES OF HEALTH; JAY  
BHATTACHARYA, in his official capacity as  
Director of the National Institutes of Health;  
UNITED STATES DEPARTMENT OF HEALTH  
AND HUMAN SERVICES; and ROBERT F.  
KENNEDY, JR., in his official capacity as  
Secretary of the United States Department of  
Health and Human Services,

*Defendants.*

Case No. 1:25-cv-10787

**UNOPPOSED MOTION OF THE ASSOCIATION OF AMERICAN MEDICAL COLLEGES,  
THE AMERICAN ASSOCIATION OF STATE COLLEGES AND UNIVERSITIES, THE  
AMERICAN COUNCIL ON EDUCATION, THE ASSOCIATION OF AMERICAN  
UNIVERSITIES, THE ASSOCIATION OF GOVERNING BOARDS OF UNIVERSITIES  
AND COLLEGES, THE ASSOCIATION OF PUBLIC AND LAND-GRANT UNIVERSITIES,  
COGR, AND THE NATIONAL ASSOCIATION OF INDEPENDENT COLLEGES AND  
UNIVERSITIES FOR LEAVE TO FILE *AMICUS CURIAE* BRIEF  
IN SUPPORT OF PLAINTIFFS' MOTION FOR A PRELIMINARY INJUNCTION**

Proposed *amici curiae*, The Association of American Medical Colleges (AAMC), The American Association of State Colleges and Universities (AASCU), The American Council on Education (ACE), The Association of American Universities (AAU), The Association of Governing Boards of Universities and Colleges (AGB), The Association of Public and Land-Grant Universities (APLU), COGR, and the National Association of Independent Colleges and

Universities (NAICU), respectfully move for leave to file a brief in support of Plaintiffs' Motion for a Preliminary Injunction and, in support thereof, state as follows:

1. Proposed *amicus curiae* AAMC is a nonprofit association of 160 accredited U.S. medical schools, 112 accredited Canadian medical schools, nearly 500 academic health systems and teaching hospitals, and more than 70 academic societies dedicated to improving the health of people everywhere through medical education, health care, medical research, and community collaborations.
2. Proposed *amicus curiae* AASCU is a higher education association that represents over 500 regional public colleges, universities, and systems whose members share a learning- and teaching-centered culture, a historic commitment to underrepresented student populations, and a dedication to research and creativity that advances their regions' economic progress and cultural development.
3. Proposed *amicus curiae* ACE serves as the major coordinating body for the nation's colleges and universities, with a diverse membership of more than 1,600 colleges and universities, related associations, and other organizations in America and abroad. ACE is the only major higher education association to represent all types of U.S. accredited, degree-granting colleges and universities.
4. Proposed *amicus curiae* AAU was founded in 1900 and is composed of America's leading research universities. AAU's member universities earn the majority of competitively awarded federal funding for research that improves public health, seeks to address national challenges, and contributes significantly to our economic strength, while educating and training tomorrow's visionary leaders and innovators. Its members include 69 public and private research universities in the United States.

5. Proposed *amicus curiae* AGB has, for nearly 100 years, remained the premier organization centered on governance in higher education, serving more than 1,200 member boards, 1,900 institutions, and almost 40,000 board members.
6. Proposed *amicus curiae* APLU is a membership organization that fosters a community of university leaders collectively working to advance the mission of public research universities. The association's U.S membership consists of more than 230 public research universities, land-grant institutions, state university systems, and affiliated organizations spanning across all 50 states, the District of Columbia, and six U.S. territories. The association and its members collectively focus on increasing student success and workforce readiness; promoting pathbreaking scientific research; and bolstering economic and community engagement. Annually, its U.S. member campuses enroll 4.3 million undergraduates and 1.3 million graduate students, award 1.3 million degrees, employ 1.2 million faculty and staff, and conduct \$64 billion in university-based research.
7. Proposed *amicus curiae* COGR, an association of over 225 public and private research universities, affiliated medical centers, and independent research institutes, is a national authority on federal policies and regulations affecting U.S. research institutions.
8. Proposed *amicus curiae* NAICU serves as the unified national voice of private, nonprofit higher education in the United States, which includes more than 5 million students attending 1,700 independent colleges and universities.
9. This Court has broad discretion to permit the filing of *amicus curiae* briefs. *See, e.g., Boston Gas Co. v. Century Indem. Co.*, No. 02-CV-12062, 2006 WL 1738312, at \*1 n.1 (D. Mass. June 21, 2006) (“[Federal district] courts have inherent authority and discretion to appoint amici.”); *Students for Fair Admissions, Inc. v. President &*

*Fellows of Harvard Coll.*, 308 F.R.D. 39, 52 (D. Mass. 2015) (“The role of an *amicus curiae* . . . is to assist the court in cases of general public interest by making suggestions to the court, by providing supplementary assistance to existing counsel, and by insuring a complete and plenary presentation of difficult issues. . . .”) (citation and internal quotation marks omitted)), *aff’d*, 807 F.3d 472 (1st Cir. 2015).

10. Institutions represented by *Amici* conduct the vast majority of all research sponsored by the National Institutes of Health (NIH). *Amici*, therefore, have a significant interest in the federal support of biomedical research through the reliable and predictable implementation by NIH of the well-developed funding system established by Congress.
11. The proposed *amicus curiae* brief will assist in the Court’s consideration of Plaintiffs’ motion for a preliminary injunction by providing a detailed account of how the terminations at issue in this case will cause long-term and irreversible harm to the biomedical research system established by Congress. The brief also explains why Defendants lack legal authority for the terminations and how their decision-making was arbitrary and capricious in violation of the Administrative Procedure Act.
12. The proposed brief, enclosed herein as Exhibit A, does not exceed twenty pages.

**WHEREFORE**, proposed *amici curiae* respectfully request that this Court grant leave to file the attached brief on the docket.

Dated: April 28, 2025

Respectfully submitted,

/s/ John P. Bueker

John P. Bueker (BBO #636435)  
ROPES & GRAY LLP  
800 Boylston Street  
Boston, MA 02199-3600  
(617) 951-7000  
John.Bueker@ropesgray.com

Douglas H. Hallward-Driemeier (BBO #627643)  
Stephanie A. Webster (*pro hac vice* pending)  
Amish A. Shah (BBO #694884)  
ROPES & GRAY LLP  
2099 Pennsylvania Avenue, NW  
Washington, DC 20006  
(202) 508-4600  
Douglas.Hallward-Driemeier@ropesgray.com  
Stephanie.Webster@ropesgray.com  
Amish.Shah@ropesgray.com

*Attorneys for Amici Curiae*

**LOCAL RULE 7.1 CERTIFICATION**

I hereby certify that counsel for proposed *amici curiae* has conferred with counsel for the parties. Plaintiffs assented to the filing of this brief. Defendants took no position.

**CERTIFICATE OF SERVICE**

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) on April 28, 2025.

/s/ John P. Bueker  
John P. Bueker