

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

STATE OF CALIFORNIA, et al.,

Plaintiffs,

v.

DONALD J. TRUMP, in his official capacity
as President of the United States, et al.,

Defendants,

and

STATE OF MISSOURI, et al.,

Intervenor-Defendants.

Case No. 1:26-cv-11581-IT

PLAINTIFF STATES' OPPOSITION TO FEDERAL DEFENDANTS'
MOTION FOR A STAY PENDING APPEAL

A stay pending appeal is “an ‘intrusion into the ordinary process of administration and judicial review,’” and is “‘not a matter of right.’” *Nken v. Holder*, 556 U.S. 418, 427 (2009) (quoting *Va. Petroleum Jobbers Ass’n v. FPC*, 259 F.2d 921, 925 (D.C. Cir. 1958)). To obtain such extraordinary relief, the “burden is on” the defendant to show a “likelihood of success” on appeal and that “the equities favor a stay.” *Dep’t of Educ. v. Louisiana*, 603 U.S. 866, 868 (2024). Federal Defendants have not carried that burden. To the contrary, both the merits and the equities weigh heavily against their request.

Federal Defendants’ motion for a stay pending appeal retreads ground that this Court has already carefully considered. Specifically, Federal Defendants restate their standing and ripeness arguments and assert that they are likely to prevail on the merits because, among other reasons, they are entitled to the presumption of regularity and the EO “fits comfortably” within the President’s authority. Compare Doc. No. 195 at 11–22 with Doc. No. 157 at 18–27, 42–48. Plaintiff States incorporate and refer the Court to their thorough briefing on these points. See

Doc. No. 106 at 19–31 (merits), 31–38 (standing and ripeness); Doc. No. 163 at 11–23 (standing and ripeness), 27–36 (merits). For the reasons previously presented to the Court, Federal Defendants have no likelihood of success on these arguments. *See Does 1–3 v. Mills*, 39 F.4th 20, 24 (1st Cir. 2022) (application for stay factors includes likelihood of success on the merits); *see also SEC v. Lemelson*, 619 F. Supp. 3d 246, 248 (D. Mass. 2022) (same in district court).

Federal Defendants make a small number of new arguments. For example, they respond to this Court’s June 18, 2026 Memorandum & Order granting in part and denying in part Defendants’ motions to dismiss, which partially dismissed Plaintiff States’ claims on prudential ripeness grounds, and they raise new equitable harms. *See, e.g.*, Doc. No. 195 at 15–16. As to these new arguments, Plaintiff States offer the following preliminary responses given the time constraints, but can offer further briefing at the Court’s request.

Federal Defendants have no likelihood of succeeding on their ripeness arguments.

They attack this Court’s “parsing of ripeness” as “illogical.” *Id.* at 15–16. But Plaintiff States understand the Court to have necessarily and correctly found Article III ripeness satisfied as to Plaintiff States’ claims overall, and to have dismissed the claims as to future elections solely on *prudential grounds*.¹ *See* Doc. No. 190 at 7 (“Prudential Ripeness”) (capitalization altered); *id.* at 11 (“[T]he challenge to the EO’s implementation as it impacts elections after the November 3, 2026 election is dismissed without prejudice on prudential ripeness grounds.”); *see also Jensen v. R.I. Cannabis Control Comm’n*, 160 F.4th 18, 24 (1st Cir. 2025) (discussing constitutional and prudential ripeness). This Court’s subsequent conclusion that Plaintiff States have standing because they are “experiencing injury now” and “will incur compliance costs” if “the EO’s

¹ Plaintiff States do not concede that any portion of their claims should be dismissed as prudentially unripe. Two observations, however, are appropriate here. First, the Court’s prudential determination that withholding judicial review as to the implementation of the EO in future elections “will pose little hardship,” Doc. No. 190 at 11, does not contradict a conclusion that Plaintiff States’ claims clear the constitutional ripeness bar. *See N.H. Lottery Comm’n v. Rosen*, 986 F.3d 38, 52 n.8 (1st Cir. 2021) (“hardship prong is solely prudential”). Second, the Court’s partial dismissal *limits* the impact of the Court’s injunction, to Federal Defendants’ benefit.

directives go into effect,” Doc. No. 191 at 16, refutes any suggestion of an Article III ripeness problem.

The law and the facts confirm that Plaintiff States’ claims are constitutionally ripe. The Article III ripeness inquiry asks “‘whether the claim involves uncertain and contingent events that may not occur as anticipated or may not occur at all.’” *Jensen*, 160 F.4th at 24 (quoting *Algonquin Gas Transmission, LLC v. Weymouth*, 919 F.3d 54, 62 (1st Cir. 2019)) (internal quotation omitted); *see also* Doc. No. 190 at 9–10 (same). This determination is situated within the larger question of whether the issues in the case are fit for judicial decision. *Jensen*, 160 F.4th at 24. Both standing and Article III ripeness can “boil down to the same question,” since both inquiries hinge on “whether the harm asserted has matured sufficiently to warrant judicial intervention.” *Id.*

That constitutional standard is met here. The EO sets forth “multiple specific directives” requiring federal agencies to take specific actions “at specified times,” and further requires that “definite substantive outcomes be implemented” in the immediate term. Doc. No. 190 at 16 (internal quotation omitted). These characteristics give rise to a ripe legal controversy. *See California v. Trump*, 805 F. Supp. 3d 387, 398 (D. Mass. 2025) (fitness prong satisfied where the EO “imposes a deadline” and “dictates the precise contours of [its] requirement” (citation omitted)); *Nat’l Urb. League v. Trump*, 783 F. Supp. 3d 61, 86 (D.D.C. 2025) (claims challenging EO’s “straightforward directive[s]” to federal agencies were ripe). As this Court explained, “it is neither speculation nor ‘conjecture’ that DHS will compile Confirmed Citizen Lists where directed to compile those lists by the President,” nor that USPS will “simultaneously” engage in the rulemaking the EO directs. Doc. No. 190 at 16. And, as the Court recognized, these provisions are *already* causing harm to Plaintiff States because “the practical realities of running an election require Plaintiffs to take actions for the upcoming elections now.” *Id.* at 13. In reaching this conclusion, the Court detailed the drumbeat of the EO’s near-term implementation deadlines—several of which have already occurred, with others soon to follow—that are presently throwing and soon will further throw Plaintiff States’

“significant preparation and planning” for upcoming elections into chaos, effectively undoing preparations long underway. *Id.* at 11–13. For these reasons, Federal Defendants’ rehearsed reliance on *Trump v. New York*, 592 U.S. 125 (2020), which was thoroughly refuted in Plaintiff States’ briefing, *see* Doc. No. 163 at 20–21, and previously rejected by this Court, *see* Doc. No. 190 at 15–16, again must fail.

Federal Defendants’ own admissions further corroborate and support the Court’s findings on Article III ripeness. They have admitted that the EO is a “directive from the President to his subordinates” mandating “certain actions.” Doc. No. 155 ¶ 4. One need only read the EO to learn *what* actions are mandated. *See* EO §§ 2, 3, 4, 5. They have also repeatedly confirmed that federal agencies are moving to implement the EO. *See* Doc. No. 190 at 14 & n.22; Doc. Nos. 169, 183, 188, 189. In this latest filing, USPS’s declarant testifies that the agency is moving to do so even while the relevant Proposed Rule is still in the notice-and-comment period. Decl. of S. Monteith, Doc. No. 194-2 ¶¶ 7, 8 (describing USPS work toward creating a portal for mail ballot lists and asserting the agency’s operational needs related to implementing other Section 3 mandates, including formatting and barcode requirements). Against this record, Federal Defendants’ bare “assertion that the agencies might implement the provisions in uncertain ways” is not sufficient to “create a ripeness problem.” *See Nat’l Urb. League*, 783 F. Supp. 3d at 86 (additionally observing that “*Defendants* are the ones speculating by suggesting that the agencies will disregard these clear mandates when implementing the provisions”).

Federal Defendants’ charge that the Court’s differing ripeness determinations as to 2026 and subsequent elections is “illogical” is equally unavailing. *See* Doc. No. 195 at 10. The Court’s partial dismissal was based on the differing levels of hardship as to the impending 2026 elections and elections in the more distant future, Doc. No. 190 at 11, which is a “solely prudential” consideration, *N.H. Lottery Comm’n*, 986 F.3d at 52 n.8; *Reddy v. Foster*, 845 F.3d 493, 501 (1st Cir. 2017); *Roman Cath. Bishop of Springfield v. City of Springfield*, 724 F.3d 78, 90 (1st Cir. 2013). Accordingly, that finding does not contradict or undermine the conclusion that Plaintiff States’ claims satisfy Article III ripeness standards. As to the prudential

considerations, the Court correctly recognized that withholding judicial review before the November 2026 General Election would “inflict significant hardship” on Plaintiff States, who are in the midst of (extensively documented and factually unchallenged) election preparation. Doc. No. 190 at 12. The Court’s differing analysis as to future elections does not undermine the fact that Plaintiff States face serious harms now. *Id.* at 10–11. Plaintiff States do not oppose the Court clarifying its ripeness determinations to address Federal Defendants’ apparent confusion between Article III and prudential ripeness in the Court’s orders.

The Court should reject Federal Defendants’ fearmongering about a broader injunction that the Court never issued. Plaintiff States sought an injunction only as to Plaintiff States, Doc. No. 97 at 5–6, and the Court entered an injunction consistent with that request: Federal Defendants, other than the President, are enjoined “from implementing or giving effect to Sections 2 and 3 of the EO with respect to the November 3, 2026 or any earlier federal election *in the Plaintiff States*[.]” Doc. No. 191 at 34 (emphasis added).² In fact, the Court expressly limited the injunction to only cover federal elections through November 3, 2026. *See* Doc. No. 191 at 34.

Accordingly, Plaintiff States agree that the Court’s injunction does not prevent Federal Defendants from “continuing work on the portal” related to Section 2(a) as to non-Plaintiff States, nor from “initiating or continuing investigations or prosecutions to enforce federal law . . . unrelated to Executive Order 14,399.” *See* Doc. No. 195 at 23. Nor does the injunction preclude USPS from pursuing rulemaking under Section 3 as to elections in non-Plaintiff States or as to future elections. Nevertheless, Plaintiff States believe that the proper course is for USPS to withdraw its Proposed Rule, *see* 91 Fed. Reg. 32,915, because it includes Plaintiff States

² This Court is not alone in enjoining the Proposed Rule. Yesterday, on July 1, 2026, another federal court enjoined USPS “from implementing the standards and procedures described in the Proposed Rule” without limitation to its application in any particular State. *NAACP v. USPS*, No. 1:20-cv-02295-EGS (D.D.C. July 1, 2026), Doc. No 181. The court also declared that “the standards and procedures set forth” in USPS’s Proposed Rule would violate a settlement agreement stemming from disruptive changes in mail service made by USPS in advance of the 2020 General Election. *Id.*

within its sweep and anticipates implementation for the November 3, 2026 General Election.³ If the Court deems clarification on this score warranted, Plaintiff States do not oppose.

Finally, the equities weigh strongly in favor of maintaining Plaintiff States’ injunction. First, Federal Defendants fail to make the “necessary prerequisite” showing of irreparable harm. *KalshiEX LLC v. CFTC*, 119 F.4th 58, 64 (D.C. Cir. 2024). They point to the fact that *Plaintiff States* will be deprived of certain information arising from the EO’s implementation, which plainly inflicts no harm on Federal Defendants.⁴ Doc. No. 195 at 23. They also posit that, absent a stay, federal agencies will struggle to implement the EO in time for the November 3, 2026 General Election even as to non-Plaintiff States. *Id.* at 18–19. Federal Defendants have forfeited this argument by failing to earlier contend that they would suffer injury from an injunction limited to Plaintiff States. *Nat’l Parks Conservation Ass’n v. U.S. Dep’t of the Interior*, No. 1:26-cv-10877-AK, 2026 WL 1758422, at *2 (D. Mass. June 18, 2026) (“[A] motion for stay is not a vehicle for presenting new legal theories or issues.”); *see also* Doc. No. 157 at 53–54, 56–57 (omitting argument about injury from injunction as to only some States). In any event, Federal Defendants’ assertions that the partial injunction would prevent implementation as to other States, *see* Doc. No. 194-1 ¶ 10; Doc. No. 194-2 ¶¶ 8, 9, are insufficient, as they amount to little more than “speculative and conclusory statement[s],” *New York v. Trump*, 133 F.4th 51, 72 (1st Cir. 2025); *see also Common Cause R.I. v. Gorbea*, 970 F.3d 11, 15 (1st Cir. 2020) (irreparable harm must be supported “as a matter of fact and reality”). They also fail to account for another court’s injunction of USPS’s Proposed Rule. *See supra* at p. 5 n.2. And Federal Defendants “cannot suffer harm from an injunction that merely ends an unlawful practice” anyway. *Rodriguez v. Robbins*, 715 F.3d 1127, 1145 (9th Cir. 2013); *accord Giovanni Carandola, Ltd. v. Bason*, 303 F.3d 507, 521 (4th Cir. 2002).

³ Plaintiff States have also advocated for USPS to withdraw the Proposed Rule because it is unconstitutional and ultra vires, including in a comment letter filed by many Plaintiff States earlier today, and will continue to do so.

⁴ The Court’s order does not prohibit States from voluntarily working with the federal government to secure this information. Doc. No. 191 at 35.

In reality, it is “substantial[] injur[y]” to Plaintiff States, not Federal Defendants, that hangs in the balance. *New York*, 133 F.4th at 65. As the Court correctly found, Plaintiff States have shown immediate and irreparable injury from Sections 2 and 3. Doc. No. 191 at 14–17; *see also* Doc. No. 190 at 13–14. A stay would require Plaintiff States to resume burdensome preparations to implement the EO, such as developing procedures for reviewing and correcting the Confirmed Citizenship List, redesigning ballot envelopes to comply with the requirements, and rush-ordering the new envelopes.⁵ With mere months to go before the November 3, 2026 General Election, and many Plaintiff States administering primary elections in the intervening time, Doc. No. 191 at 14, complying with the EO would require diverting time and money from the most pressing election administration tasks when there is no time or money to spare, Doc. No. 191 at 15–16. The EO’s “multiple references to criminal penalties, implicitly threaten[ing] . . . election officials” would hang above Plaintiff States along the way. Doc. No. 191 at 16. Only the relief ordered by this Court can provide the reassurance necessary for elections officials to focus on the critical tasks at hand and not the EO.

Second, Federal Defendants fail to demonstrate that a stay serves the public interest. Their sole argument is that a stay would relieve the President of a restraint on his power to “oversee[] the Executive Branch.” Doc. No. 195 at 25. But “[t]he public has an important interest in making sure government agencies follow the law,” which is precisely what this Court’s order accomplishes. *Neighborhood Ass’n of the Back Bay, Inc. v. Fed. Transit Admin.*, 407 F. Supp. 2d 323, 343 (D. Mass. 2005), *aff’d*, 463 F.3d 50 (1st Cir. 2006). Moreover, a stay risks disenfranchising voters, which Federal Defendants have not disputed as a factual matter, apart

⁵ *See* Doc. No. 191 at 15–16; *see also, e.g.*, Doc. No. 100-3 ¶¶ 19–26 (Nevada will have to divert significant resources to implement the Confirmed Citizenship List); Doc. No. 100-7 ¶ 12 (Connecticut diverted “time and attention from other critical election preparations” before this Court’s order); Doc. No. 100-21 ¶¶ 71–75 (Rhode Island had already spent \$50,000 on ballot envelopes approved by USPS pre-EO, but it will need to redo the process and reorder the envelopes if USPS proceeds under the EO); Doc. No. 100-10 ¶¶ 67–68 (similar for Maine); Doc. No. 191 at 15 (“Nearly half of Plaintiff States have already purchased mail ballot envelopes for the 2026 federal election cycle that will not be in compliance with the requirements the EO has directed USPS to adopt by rulemaking.”).

from their meritless ripeness arguments. *See, e.g.*, Doc. No. 105 ¶¶ 31, 32, 58, 59; Doc. No. 155 ¶¶ 31, 32, 58, 59; *see also* Doc. No. 191 at 30 (recognizing that the Confirmed Citizens Lists function “at minimum, as a threatened enforcement mechanism that will chill local election officials from complying with legal obligations to ensure that all eligible citizens may vote”); *Obama for Am. v. Husted*, 697 F.3d 423, 437 (6th Cir. 2012) (“The public interest . . . favors permitting as many qualified voters to vote as possible”); *League of Women Voters v. Newby*, 838 F.3d 1, 14 (D.C. Cir. 2016) (recognizing “the strong public interest in ensuring that unlawful agency decisionmaking does not strip citizens of the right to vote”).

For these reasons, Federal Defendants have not met their burden to receive the extraordinary relief of a stay pending appeal, and this Court should deny their motion.

Dated: July 2, 2026

Respectfully submitted.

ROB BONTA

Attorney General of California

By: /s/ Michael S. Cohen

Michael S. Cohen*

Deputy Attorney General

Thomas S. Patterson*

Senior Assistant Attorney General

Seth E. Goldstein*

Supervising Deputy Attorney General

Anne P. Bellows*

Kevin L. Quade*

Lisa C. Ehrlich*

Malcolm A. Brudigam*

Robert William Setrakian*

Deputy Attorneys General

1300 I Street, P.O. Box 944255

Sacramento, CA 95814

(916) 210-6090

Michael.Cohen@doj.ca.gov

Seth.Goldstein@doj.ca.gov

Anne.Bellows@doj.ca.gov

Kevin.Quade@doj.ca.gov

Lisa.Ehrlich@doj.ca.gov

Malcolm.Brudigam@doj.ca.gov

William.Setrakian@doj.ca.gov

Counsel for the State of California

AARON FORD

Attorney General of Nevada

By: /s/ K. Brunetti Ireland

K. Brunetti Ireland*

Chief of Special Litigation

1 State of Nevada Way, Suite 100

Las Vegas, NV 89119

(702) 486-9246

KIreland@ag.nv.gov

Counsel for the State of Nevada

(additional counsel on following page)

ANDREA JOY CAMPBELL

Attorney General of Massachusetts

By: /s/ Vanessa A. Arslanian

M. Patrick Moore, Jr. (BBO No. 670323)

First Assistant Attorney General

Vanessa A. Arslanian (BBO No. 688099)

State Trial Counsel

Jared B. Cohen (BBO No. 689217)

Jak Kundl (BBO No. 713951)

Assistant Attorneys General

One Ashburton Place

Boston, MA 02108

(617) 963-2107

Vanessa.Arsanian@mass.gov

Pat.Moore@mass.gov

Jared.B.Cohen@mass.gov

Jak.Kundl@mass.gov

Counsel for the Commonwealth of Massachusetts

NICHOLAS W. BROWN

Attorney General of Washington

By: /s/ Tera M. Heintz

Tera M. Heintz*

Cristina Sepe*

Karl D. Smith*

Deputy Solicitors General

1125 Washington Street SE

PO Box 40100

Olympia, WA 98504-0100

(360) 753-6200

tera.heintz@atg.wa.gov

cristina.sepe@atg.wa.gov

karl.smith@atg.wa.gov

Counsel for the State of Washington

KRISTIN K. MAYES

Attorney General of the State of Arizona

By: /s/ Kara Karlson
Kara Karlson*
Karen J. Hartman-Tellez*
Joshua M. Whitaker*
Syreeta Tyrell*
Assistant Attorneys General
2005 North Central Ave.
Phoenix, AZ 85004
(602) 542-8118

Counsel for the State of Arizona

WILLIAM TONG

Attorney General of Connecticut

By: /s/ Maura Murphy
Maura Murphy*
Deputy Associate Attorney General
165 Capitol Avenue
Hartford, CT 06106
(860) 808-5020

Counsel for the State of Connecticut

KATHLEEN JENNINGS

Attorney General of the State of Delaware

By: /s/ Ian R. Liston
Ian R. Liston*
Director of Impact Litigation
Vanessa L. Kassab*
Deputy Attorney General
820 N. French Street
Wilmington, DE 19801
(302) 683-8899

Counsel for the State of Delaware

PHILIP J. WEISER

Attorney General for the State of Colorado

By: /s/ Shannon Stevenson
Shannon Stevenson*
Solicitor General
Peter Baumann*
Senior Assistant Attorney General
1300 Broadway
Denver, Colorado 80203
(720) 508-6400

Counsel for the State of Colorado

ANTHONY G. BROWN

Attorney General for the State of Maryland

By: /s/ Virginia A. Williamson
Virginia A. Williamson*
Assistant Attorney General
200 Saint Paul Place
Baltimore, MD 21202
(410) 576-6584

Counsel for the State of Maryland

DANA NESSEL

Attorney General of Michigan

By: /s/ Neil Giovanatti
Neil Giovanatti*
Erik Grill*
Assistant Attorneys General
P.O. Box 30736
Lansing, MI 48909
(517) 335-7659

Counsel for the State of Michigan

(additional counsel on following page)

BRIAL L. SCHWALB

Attorney General of the District of
Columbia

By: /s/ Eliza H. Simon

Eliza H. Simon*

Senior Counsel

400 6th St. NW

Washington, D.C. 20001

(202) 741-5221

Counsel for the District of Columbia

KEITH ELLISON

Attorney General for the State of Minnesota

By: /s/ Angela Behrens

Angela Behrens*

Allen Cook Barr*

Assistant Attorney General

Lindsey E. Middlecamp*

Special Counsel

445 Minnesota Street, Suite 600

St. Paul, MN, 55101

(651) 300-0711

Counsel for the State of Minnesota

KWAME RAOUL

Attorney General for the State of Illinois

By: /s/ Vikas Didwania

Vikas Didwania*

Complex Litigation Counsel

Alex Hemmer*

Deputy Solicitor General

Holly F.B. Berlin*

Assistant Attorney General

115 S. LaSalle St.

Chicago, IL 60603

(312) 814-5526

Counsel for the State of Illinois

JENNIFER DAVENPORT

Attorney General of New Jersey

By: /s/ Meghan K. Musso

Meghan K. Musso*

Jonathan Mangel*

Joshua P. Bohn*

Deputy Attorneys General

124 Halsey Street, 5th Floor

Newark, NJ 07101

(609) 696-5276

Counsel for the State of New Jersey

AARON M. FREY

Attorney General for the State of Maine

By: /s/ Katherine W. Thompson

Katherine W. Thompson*

Special Counsel

6 State House Station

Augusta, ME 04333-0006

(207) 626-8800

Counsel for the State of Maine

RAÚL TORREZ

Attorney General of New Mexico

By: /s/ Bailey Colfax

Bailey Colfax*

Assistant Attorney General

408 Galisteo Street

Santa Fe, NM 87501

(505) 490-4060

Counsel for the State of New Mexico

(additional counsel on following page)

LETITIA JAMES

Attorney General of New York

By: /s/ Colleen K. Faherty

Colleen K. Faherty*

Special Trial Counsel

Rabia Muqaddam*

Chief Counsel, Federal Initiatives

28 Liberty Street

New York, NY 10005

(212) 416-6046

Counsel for the State of New York

CHARITY R. CLARK

Attorney General for the State of Vermont

By: /s/ Ryan P. Kane

Ryan P. Kane*

Deputy Solicitor General

109 State Street

Montpelier, VT 05609

(802) 828-2153

Counsel for the State of Vermont

JEFF JACKSON

Attorney General of North Carolina

Laura Howard

Chief Deputy Attorney General

By: /s/ Daniel P. Mosteller

Daniel P. Mosteller*

Associate Deputy Attorney General

114 W. Edenton Street

Raleigh, NC 27603

Counsel for the State of North Carolina

JAY JONES

Attorney General for the Commonwealth of Virginia

By: /s/ Tillman J. Breckenridge

Tillman J. Breckenridge*

Solicitor General

202 North Ninth Street

Richmond, VA 23219

Counsel for the Commonwealth of Virginia

DAN RAYFIELD

Attorney General, State of Oregon

By: /s/ Thomas H. Castelli

Thomas H. Castelli*

Special Assistant Attorney General

100 SW Market Street

Portland, OR 97201

(971) 673-1880

Counsel for the State of Oregon

PETER F. NERONHA

Attorney General of Rhode Island

By: /s/ Kyla Duffy

Kyla Duffy*

Special Assistant Attorney General

150 South Main Street

Providence, RI 02903

Tel: (401) 274-4400

Counsel for the State of Rhode Island

(additional counsel on following page)

JOSHUA L. KAUL

Attorney General for the State of Wisconsin

By: /s/ Lynn Lodahl

Lynn Lodahl*

Assistant Attorney General

17 West Main Street

Madison, WI 53707-7857

(608) 264-6219

Counsel for the State of Wisconsin

JOSH SHAPIRO

Governor of the Commonwealth of Pennsylvania

By: /s/ Michael J. Fischer

Michael J. Fischer*

Jacob B. Boyer*

Deputy General Counsel

30 North Third Street, Suite 200

Harrisburg, PA 17101

(717) 831-2847

Counsel for the Governor of the Commonwealth of Pennsylvania

**Admitted pro hac vice or pro hac vice applications forthcoming*

CERTIFICATE OF SERVICE

I, Michael S. Cohen, hereby certify that I served a true copy of the above document upon all counsel of record via this Court's electronic filing system.

Dated: July 2, 2026

/s/ Michael S. Cohen

Michael S. Cohen

Deputy Attorney General

Counsel for the State of California