



**U.S. Department of Justice**  
Civil Division, Appellate Staff  
950 Pennsylvania Ave. NW, Rm. 7513  
Washington, DC 20530

---

Maxwell A. Baldi  
maxwellbaldi@usdoj.gov

(202) 532-0211

January 12, 2026

**VIA CM/ECF**

Anastasia Dubrovsky, Clerk of Court  
U.S. Court of Appeals for the First Circuit  
John Joseph Moakley U.S. Courthouse  
1 Courthouse Way, Suite 2500  
Boston, MA 02210

Re: *American Hospital Ass'n v. Kennedy*, No. 25-2236

Dear Ms. Dubrovsky:

I write in response to this Court's order of January 7, 2026, directing the parties to propose an expedited briefing schedule for this appeal.

The parties are engaged in discussions about returning the approvals challenged in this litigation to the agency for reconsideration. The agency intends to resolve such proceedings promptly. Therefore, the parties do not believe that expediting this appeal is warranted at this time and plan to dismiss the appeal in short order.<sup>1</sup>

---

<sup>1</sup> I have conferred with plaintiffs' counsel, who agree with this position.

Respectfully submitted,

*/s/ Maxwell A. Baldi*

---

MAXWELL A. BALDI

*Attorney, Appellate Staff*

*Civil Division, Room 7513*

*U.S. Department of Justice*

*950 Pennsylvania Avenue NW*

*Washington, DC 20530*

*(202) 532-0211*

*maxwell.baldi@usdoj.gov*

cc: All counsel of record (by CM/ECF)