

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
LUBBOCK DIVISION

STATE OF TEXAS,
STATE OF ALASKA,
STATE OF FLORIDA,
STATE OF INDIANA,
STATE OF KANSAS,
STATE OF LOUISIANA,
STATE OF MISSOURI,
STATE OF MONTANA,
STATE OF SOUTH DAKOTA,
Plaintiffs,

v.

ROBERT F. KENNEDY, JR., in his official Capacity
as Secretary of Health and Human Services,
UNITED STATES DEPARTMENT OF HEALTH AND
HUMAN SERVICES,
Defendants.

CASE NO. 5:24-cv-00225-C

NOTICE REGARDING PLAINTIFFS' FIRST AMENDED COMPLAINT

The Plaintiff States of Texas, Alaska, Florida, Indiana, Kansas, Louisiana, Missouri, Montana, and South Dakota (Plaintiffs), notify the Court that on January 23, 2026, Plaintiffs amended their active complaint, *see* ECF No. 88, pursuant to Fed. R. Civ. P. 15(a)(2), which allows that “a party may amend its pleading only *with the opposing party’s written consent* or the court’s leave.” Fed. R. Civ. P. 15(a)(2) (emphasis added). Plaintiffs shared a copy of their First Amended Complaint with Defendants through counsel on January 14, 2026. Later, on January 22, 2026, Counsel for Defendants delivered Defendants’ written consent for Plaintiffs to file their First Amended Complaint by email.

Further, Plaintiffs notify the Court that they intend to confer with Defendants regarding a mutually acceptable request for the Court to lift its Order administratively closing the instant case, ECF No. 79, and to enter a schedule to structure the litigation going forward.

Dated: January 23, 2026.

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CERTIFICATE OF SERVICE

I certify that a true and accurate copy of the foregoing document was filed electronically (via CM/ECF) on January 23, 2026 and that all counsel of record were served by CM/ECF.

/s/ Kyle S. Tebo

KYLE S. TEBO