UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

ASSOCIATION OF AMERICAN MEDICAL COLLEGES, *et al.*, Plaintiffs, v. NATIONAL INSTITUTES OF HEALTH, *et al.*, Defendants.	Civil Action No. 25-CV-10340-AK

ORDER GRANTING PLAINTIFFS' EMERGENCY MOTION FOR TEMPORARY RESTRAINING ORDER

ANGEL KELLEY, D.J.

For purposes of Federal Rule of Civil Procedure 65(b), the Plaintiffs have made a sufficient showing that, unless their Emergency Motion For Temporary Restraining Order ("TRO") [Dkt. 5] is granted, they will sustain immediate and irreparable injury before there is an opportunity to hear from all parties. Thus, a TRO is justified to preserve the status quo pending a hearing and the Plaintiffs' Motion is **GRANTED**.

The Defendants and their officers, employees, servants, agents, appointees, and successors are hereby enjoined from taking any steps to implement, apply, or enforce the Supplemental Guidance to the 2024 NIH Grants Policy Statement: Indirect Cost Rates (NOT-OD-25-068), issued by the Office of the Director of the National Institutes of Health on February 7, 2025 (the "Rate Change Notice"), in any form with respect to institutions nationwide until further order is issued by this Court. This Court further orders that counsel for the Defendants shall file a status report with the Court within 48 hours of the entry of this Order, and at biweekly

intervals thereafter, confirming the regular disbursement and obligation of federal financial assistance funds and reporting all steps that Defendants and their officers, employees, servants, agents, appointees, and successors have taken to comply with the Court's TRO.

Defendants' opposition to the Motion is due by **Friday, February 14, 2025**. Plaintiffs may file a reply brief, limited to ten pages in length, by **Tuesday, February 18, 2025**. Counsel shall appear in-person for a hearing on the Motion at **10:00 AM** on **Friday, February 21, 2025**. Counsel for the Plaintiffs shall provide a copy of this Order, along with copies of the motion papers, to the following by **6:00 PM** on **Tuesday, February 11, 2025**: Brad P. Rosenberg, Special Counsel, Federal Programs Branch, Civil Division, U.S. Department of Justice; Leah Foley, U.S. Attorney for the District of Massachusetts; and the Chief of the Civil Division of the U.S. Attorneys Office for the District of Massachusetts. Electronic service suffices.

This TRO shall become effective immediately upon entry by this Court. It shall remain in effect until further order of this Court.

SO ORDERED.

Dated: February 10, 2025

/s/ Angel Kelley
Hon. Angel Kelley
United States District Judge