UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

ASSOCIATION OF AMERICAN UNIVERSITIES, *et al.*,	*	
Plaintiffs,	*	
v.	*	Civil Action No. 25-cv-10912-ADB
DEPARTMENT OF ENERGY *et al.*,	*	
Defendants.	*	

ORDER GRANTING PLAINTIFFS' MOTION FOR A TEMPORARY RESTRAINING ORDER

BURROUGHS, D.J.

For purposes of Federal Rule of Civil Procedure 65(b), the Plaintiffs have made a sufficient showing that they have provided notice to Defendants and that, unless their Motion for a Temporary Restraining Order ("TRO"), [ECF No. 3 (the "Motion")], 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**.

Defendants and their officers, employees, servants, agents, appointees, and successors are hereby enjoined from implementing, instituting, maintaining, or giving effect to the DOE Policy Flash: Adjusting Department of Energy Grant Policy for Institutions of Higher Education (IHE) (the "Rate Cap Policy") in any form; from otherwise modifying negotiated indirect cost rates except as permitted by statute and by the regulations of the Office of Management and the Budget; and from terminating any grants pursuant to the Rate Cap Policy or based on a grantee's refusal to accept an indirect cost rate less than their negotiated rate.

The Court further orders that (1) within 24 hours of entry of this Order, Defendants must provide written notice of the Order to all funding recipients affected by the Rate Cap Policy and (2) Defendants must notify the Court that they have done so within 48 hours of entry of this Order. Defendants shall additionally file status reports at biweekly intervals thereafter to confirm the regular disbursement and obligation of federal financial assistance funds for so long as the terms of the TRO remain in effect.

Defendants' opposition to the Motion is due by **Tuesday, April 22, 2025**. Plaintiffs may file a reply brief, limited to ten pages in length, by **Friday, April 25, 2025**. Counsel shall appear in-person for a hearing on the Motion at **11:00 AM** on **Monday, April 28, 2025**.

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

SO ORDERED.

April 16, 2025

/s/ Allison D. Burroughs
ALLISON D. BURROUGHS
U.S. DISTRICT JUDGE