



U.S. Department of Justice
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VIA CM/ECF

December 22, 2025

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

RE: *California, et al. v. Trump, et al.*, No. 25-1726 (1st Cir.)

Defendants provide notice of the attached stipulation, entered December 22, 2025, by the district court in this case. The parties agreed that Section 2(d) of the challenged Executive Order, No. 14,248, does not have any application to any state or local agency and defendants stipulated that no defendant would take any action pursuant to the Executive order to require a plaintiff State or its designated state or local voter registration agencies under 52 U.S.C. § 20506(a) to assess a person's citizenship prior to providing them with a federal voter registration form. *See* Dkt. 175 at 3.¹ In exchange, the plaintiff States agreed to dismiss their challenges to Section 2(d) of the Executive Order.

¹ Section 2(d) of the Executive order provides that "[t]he head of each Federal voter registration executive department or agency . . . under the National Voter Registration Act, 52 U.S.C. § 20506(a), shall assess citizenship prior to providing a Federal voter registration form to enrollees of public assistance programs." Executive Order No. 14,248.

The stipulation renders the portion of the preliminary injunction that prohibits Defendants from enforcing Section 2(d) of the Executive Order against plaintiff States moot. *See Harris v. University of Massachusetts Lowell*, 43 F.4th 187, 191 n.6 (1st Cir. 2022) (“Given the district court’s final order of dismissal, the students’ appeal from the preliminary injunction ruling is moot, as that order ‘was merged in the final judgment dismissing the case.’” (quoting *Chaparro-Febus v. International Longshoremen Ass’n, Local 1575*, 983 F.2d 325, 331 n.5 (1st Cir. 1992) (additional quotation marks omitted))).

Sincerely,

/s/ Laura E. Myron

Laura E. Myron

Counsel for Defendants-Appellants

CERTIFICATE OF SERVICE

I certify that on December 22, 2025, I electronically filed the foregoing with the Clerk of the United States Court of Appeals for the First Circuit by using the appellate CM/ECF system, which will serve all counsel of record.

/s/ Laura E. Myron

LAURA E. MYRON

CERTIFICATE OF COMPLIANCE

I certify that this letter complies with the word limitations of Federal Rule of Appellate Procedure 28(j) because it contains 255 words.

/s/ Laura E. Myron

LAURA E. MYRON

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

STATE OF CALIFORNIA; STATE OF NEVADA; COMMONWEALTH OF MASSACHUSETTS; STATE OF ARIZONA; STATE OF COLORADO; STATE OF CONNECTICUT; STATE OF DELAWARE; STATE OF HAWAII; STATE OF ILLINOIS; STATE OF MAINE; STATE OF MARYLAND; PEOPLE OF THE STATE OF MICHIGAN; STATE OF MINNESOTA; STATE OF NEW JERSEY; STATE OF NEW MEXICO; STATE OF NEW YORK; STATE OF RHODE ISLAND; STATE OF VERMONT; STATE OF WISCONSIN,

Plaintiffs,

v.

DONALD J. TRUMP, in his official capacity as President of the United States; PAMELA BONDI, in her official capacity as Attorney General of the United States; UNITED STATES ELECTION ASSISTANCE COMMISSION; DONALD L. PALMER, in his official capacity as Chairman of the U.S. Election Assistance Commission; THOMAS HICKS, in his official capacity as Vice Chair of the U.S. Election Assistance Commission; CHRISTY McCORMICK and BENJAMIN W. HOVLAND, in their official capacities as Commissioners of the U.S. Election Assistance Commission; PETE HEGSETH, in his official capacity as Secretary of Defense,

Defendants.

No. 1:25-cv-10810-DJC

**STIPULATION REGARDING VOLUNTARY CONDITIONAL DISMISSAL WITHOUT
PREJUDICE OF PLAINTIFFS' CHALLENGES TO SECTION 2(d) OF THE
EXECUTIVE ORDER**

Pursuant to Federal Rule of Civil Procedure 41(a)(2), Plaintiffs California, Nevada, Massachusetts, Arizona, Colorado, Connecticut, Delaware, Hawaii, Illinois, Maine, Maryland,

Michigan, Minnesota, New Jersey, New Mexico, New York, Rhode Island, Vermont, and Wisconsin (Plaintiff States), and Defendants Donald Trump, Pamela Bondi, U.S. Election Assistance Commission, Donald Palmer, Thomas Hicks, Christy McCormick, Benjamin Hovland, and Pete Hegseth (Defendants), by and through their respective counsel of record, hereby submit this joint stipulation regarding voluntary dismissal:

Whereas, on March 25, 2025, Defendant President Donald J. Trump issued Executive Order No. 14248, entitled “*Preserving and Protecting the Integrity of American Elections*” (“EO”).

Whereas, Section 2(d) of the EO states that “[t]he head of each Federal voter registration executive department or agency (agency) under the National Voter Registration Act, 52 U.S.C. 20506(a), shall assess citizenship prior to providing a federal voter registration form to enrollees of public assistance programs.”

Whereas, on April 3, 2025, Plaintiff States filed a complaint, alleging that Section 2(d) of the EO, if extended to State and local agencies designated under the NVRA, is ultra vires and unconstitutionally commandeers State personnel and resources. D. 1, ¶¶ 9, 49(b), 92.

Whereas, on June 13, 2025, the Court issued a preliminary injunction, enjoining Defendants from “implementing Section 2(d)” on the grounds that “[n]either the Constitution nor the NVRA . . . affords the President the power to conscript states (here, voter registration agencies in the States that include public assistance agencies) to carry out his Executive Order mandates.” D. 107 at 24-25; D. 108 at 2.

Whereas, on June 13, 2025, shortly after the Court issued its preliminary injunction, Defendants filed a motion to dismiss, affirmatively representing that Section 2(d) of the EO “does not state that it applies to Plaintiff States, who are neither federal departments or agencies

nor enrollees of public assistance programs.” D. 109 at 9-10. Defendants further argued, “[b]ecause section 2(d) does not apply to Plaintiffs, they lack standing to challenge this provision.” *Id.* at 10.

Whereas, in its order on the motion to dismiss, the Court acknowledged that the wording of Section 2(d) “leav[es] some ambiguity over to which voter registration agencies § 2(d) applies.” D. 132 at 14; *see generally id.* at 13-17.

Whereas, the Plaintiffs are willing to dismiss their claim challenging Section 2(d), without prejudice, pursuant to a binding Court order clarifying that the provision does not apply to a Plaintiff State or its designated state or local voter registration agencies under 52 U.S.C. § 20506(a).

NOW THEREFORE, the Parties stipulate to dismissal without prejudice of Plaintiffs’ challenge to Section 2(d) subject to the following terms:

- The Parties stipulate and the Court orders that Section 2(d) of the EO, which requires the heads of Federal voter registration agencies to assess citizenship prior to providing a Federal voter registration form to enrollees of public assistance programs, does not have any application to any state or local agency.
- Defendants stipulate that no Defendant will take any action pursuant to the Executive Order to require a Plaintiff State or its designated state or local voter registration agencies under 52 U.S.C. § 20506(a) to assess a person’s citizenship prior to providing them with a federal voter registration form.
- Plaintiff States’ challenges to Section 2(d) of the EO are dismissed without prejudice subject to Defendants’ agreement that this provision has no application to state or local agencies.

- This Court shall retain jurisdiction to enforce the terms of dismissal set out herein for a period of four years from the date of the entry of the order.

IT IS SO STIPULATED.

December 11, 2025

Respectfully submitted.

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SO ORDERED this 22nd day of December, 2025

By: Denise J. Casper
Hon. Denise J. Casper
United States District Judge

CERTIFICATE OF SERVICE

I, Anne P. Bellows, 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: December 11, 2025

/s/ Anne P. Bellows
Anne P. Bellows
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