

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF RHODE ISLAND**

STATE OF WASHINGTON, *et al.*,

Plaintiffs,

v.

DEPARTMENT OF HOUSING AND URBAN  
DEVELOPMENT, *et al.*,

Defendants.

AND

NATIONAL ALLIANCE TO END  
HOMELESSNESS, *et al.*,

Plaintiffs,

v.

DEPARTMENT OF HOUSING AND URBAN  
DEVELOPMENT, *et al.*,

Defendants.

Case Nos. 25-cv-626

25-cv-636

District Judge Mary S. McElroy

Magistrate Judge Amy E. Moses

**NOTICE OF WITHDRAWAL OF THE CHALLENGED 2025  
NOTICE OF FUNDING OPPORTUNITY**

Defendants respectfully advise the Court that the Department of Housing and Urban Development (HUD) has withdrawn the challenged November 2025 HUD Continuum of Care Notice of Funding Opportunity (2025 NOFO). *See* Exhibit A; *see also* 2025 NOFO Withdrawal Notice, Exhibit B. HUD has withdrawn the 2025 NOFO in order to assess the issues raised by Plaintiffs in their suits and to fashion a revised NOFO.

Because the December and January deadlines set by the 2025 NOFO are no longer operative, Plaintiffs' request for emergency, expedited relief via a Temporary Restraining

Order is now moot. *See, e.g., State of Washington v. HUD*, 25-cv-626, ECF No. 11 at 2 (“Plaintiff States seek expedited relief by December 12, 2025, in light of the January 14, 2026, NOFO application deadline and consequent local CoC application deadlines as early as Sunday, December 14, 2025.”). Indeed, in light of HUD’s withdrawal of the 2025 NOFO, Plaintiffs’ pending requests for injunctive relief generally are now moot. *See Harris v. Univ. of Mass. Lowell*, 43 F.4th 187, 192 (1st Cir. 2022) (“Where, as here, challenged measures no longer adversely affect any plaintiff’s primary conduct, injunctive relief is unavailable and the attendant claims become moot.” (cleaned up)). At a minimum, Defendants maintain that the need for further relief—if any—should be briefed on a more orderly schedule.

DATE: December 8, 2025

Respectfully submitted,

BRETT A. SHUMATE  
Assistant Attorney General  
Civil Division

YAAKOV M. ROTH  
Principal Deputy Assistant Attorney General  
Civil Division

JOSEPH E. BORSON  
Assistant Branch Director

PETER R. GOLDSTONE  
Trial Attorney

/s/ Pardis Gheibi  
PARDIS GHEIBI (D.C. Bar No. 90004767)  
Trial Attorney, U.S. Department of Justice  
Civil Division, Federal Programs Branch  
1100 L Street, N.W.  
Washington, D.C. 20005  
Tel.: (202) 305-3246  
Email: pardis.gheibi@usdoj.gov  
*Attorneys for Defendants*

**CERTIFICATE OF SERVICE**

I certify that on December 8, 2025, the above document was filed with the CM/ECF filing system.

/s/ Pardis Gheibi