

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Defendants respectfully advise the Court that the Department of Housing and Urban Development (HUD) has withdrawn the challenged November 2025 HUD Continuum of Care Notice of Funding Opportunity (2025 NOFO). *See* Exhibit A; *see also* 2025 NOFO Withdrawal Notice, Exhibit B. HUD has withdrawn the 2025 NOFO in order to assess the issues raised by Plaintiffs in their suits and to fashion a revised NOFO.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