

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

STATE OF CALIFORNIA *et al.*,

Plaintiffs,

V.

LINDA MCMAHON *et al.*,

Defendants.

Civil Action No. 1:25-cv-00329
District Judge Melissa R. DuBose
Magistrate Judge Patricia A. Sullivan

**JOINT MOTION TO DISMISS THE COMPLAINT WITHOUT PREJUDICE
SUBJECT TO THE TERMS OF THE PARTIES' STIPULATION**

Pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii), Defendants Linda McMahon, in her official capacity as Secretary of Education; U.S. Department of Education; Russell Vought, in his official capacity as Director of the U.S. Office of Management and Budget; U.S. Office of Management and Budget; Donald J. Trump, in his official capacity as President of the United States; and the United States of America (“Defendants”); and Plaintiffs State of California, State of Colorado, Commonwealth of Massachusetts, State of Rhode Island, State of Arizona, State of Connecticut, State of Delaware, District of Columbia, State of Hawai’i, State of Illinois, Office of the Governor ex rel. Andy Beshear in his official capacity as Governor of the Commonwealth of Kentucky, State of Maine, State of Maryland, State of Michigan, State of Minnesota, State of Nevada, State of New Jersey, State of New Mexico, State of New York, State of North Carolina, State of Oregon, Office of the Governor ex rel. Josh Shapiro in his official capacity as Governor of the Commonwealth of Pennsylvania, State of Vermont, State of Washington, and State of

Wisconsin (“Plaintiffs”) (collectively, the “Parties”) move the Court to dismiss Plaintiffs’ Complaint without prejudice subject to the terms of the below stipulation.

WHEREAS, Plaintiffs filed the Complaint in this action on July 14, 2025 (ECF No. 1);

WHEREAS, Plaintiffs’ Complaint alleges that Defendants’ decision not to make Title I-C, Title II-A, Title III-A, Title IV-A, Title IV-B, and the Work and Adult Education and Family Literacy Act program (collectively, the “Impacted Programs”) funds available to the Plaintiffs on July 1 (the “First Tranche”) pending a review of the Impacted Programs is contrary to law, arbitrary and capricious, and unconstitutional;

WHEREAS, during the week of July 28, 2025, Defendants made the First Tranche of funds for the Impacted Programs (amounting to a portion of the full allotment for Federal Fiscal Year 2025-26 (FY 2025-26)) available to Plaintiffs through issuance of Grant Award Notices (GANs);

WHEREAS, Plaintiffs contend that Defendants are required by law to make a second tranche of funds for the Impacted Programs (amounting to the balance of the full allotment for FY 2025-26) available to the Plaintiffs on October 1, 2025 (the “Second Tranche”);

WHEREAS, Defendants do not concede that any of Plaintiffs’ claims are meritorious, but nevertheless intend to make the Second Tranche of funds available on or about October 1, 2025, but no later than October 3, 2025;

WHEREAS, Plaintiffs have agreed to dismiss the Complaint without prejudice subject to Defendants’ stipulation that Defendants will make the Second Tranche of funds for the Impacted Programs available to the Plaintiffs on or about October 1, 2025, but no later than October 3, 2025;

THEREFORE, the Parties do HEREBY STIPULATE AND AGREE as follows:

1. Defendants agree to make the Second Tranche of funds for the Impacted Programs

- available to the Plaintiffs through issuance of GANs on or about October 1, 2025, but no later than October 3, 2025, for the Impacted Programs without any new conditions or restrictions beyond those specified in the First Tranche GANs;
2. On the basis of Defendants' representations in this stipulation, the Parties agree that the Complaint shall be dismissed without prejudice;
 3. This stipulation applies only to FY 2025-26 funds for the Impacted Programs described in the Complaint;
 4. All parties will bear their own fees and costs; and
 5. The Court retains jurisdiction to enforce the terms of the stipulation, until such time as all funds of the Second Tranche have been made available to the Plaintiffs in keeping with the above recitals.

Accordingly, the Parties respectfully request that the Court dismiss the Complaint without prejudice subject to terms of the above stipulation.

Dated: August 25, 2025

Respectfully submitted,

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