

**IN THE UNITED STATES COURT OF APPEALS
FOR THE FIRST CIRCUIT**

| | | |
|------------------------------|---|-------------|
| STATE OF CALIFORNIA, et al., |) | |
| Plaintiffs-Appellees, |) | |
| |) | |
| v. |) | No. 26-1026 |
| |) | |
| UNITED STATES DEPARTMENT OF |) | |
| TRANSPORTATION, et al., |) | |
| Defendants-Appellants |) | |

**DEFENDANTS-APPELLANTS' ASSENTED-TO
MOTION TO VOLUNTARILY DISMISS APPEAL**

Pursuant to Federal Rule of Appellate Procedure 42(b), defendants-appellants move to dismiss this appeal, which each party to bear its own costs. Counsel for plaintiffs-appellees has authorized us to state that plaintiffs-appellees assent to this motion.

Respectfully submitted,

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Certificate of Service

On this 13th day of January, 2026, I caused the within motion to be filed electronically and it is available for viewing and downloading from the ECF system, which served it on counsel for plaintiffs-appellees, who are registered participants of the CM/ECF system:

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