

United States Court of Appeals For the First Circuit

No. 26-1774

STATE OF CALIFORNIA; COMMONWEALTH OF MASSACHUSETTS; STATE OF NEVADA; STATE OF WASHINGTON; STATE OF ARIZONA; STATE OF COLORADO; STATE OF CONNECTICUT; STATE OF DELAWARE; DISTRICT OF COLUMBIA; STATE OF ILLINOIS; STATE OF MAINE; STATE OF MARYLAND; STATE OF MICHIGAN; STATE OF MINNESOTA; STATE OF NEW JERSEY; STATE OF NEW MEXICO; STATE OF NEW YORK; STATE OF NORTH CAROLINA; STATE OF OREGON; STATE OF RHODE ISLAND; STATE OF VERMONT; COMMONWEALTH OF VIRGINIA; STATE OF WISCONSIN; JOSH SHAPIRO, in the official capacity as Governor of the Commonwealth of Pennsylvania,

Plaintiffs - Appellees,

v.

DONALD J. TRUMP, in the official capacity as President of the United States; UNITED STATES DEPARTMENT OF JUSTICE; TODD BLANCHE, in the official capacity as Acting U.S. Attorney General; UNITED STATES DEPARTMENT OF HOMELAND SECURITY; MARKWAYNE MULLIN, in the official capacity as Secretary of the United States Department of Homeland Security; UNITED STATES SOCIAL SECURITY ADMINISTRATION; FRANK BISIGNANO, in the official capacity as Commissioner of the United States Social Security Administration; UNITED STATES POSTAL SERVICE; DAVID STEINER, in the official capacity as Postmaster General and Chief Executive Officer of the Postal Service; DOUG TULINO, in the official capacity as Deputy Postmaster General, Chief Operating Officer and Chief Human Resources Officer of the Postal Service and Member of the Postal Service Board of Governors; AMBER MCREYNOLDS, in the official capacity as Chair of the Postal Service Board of Governors; DEREK T. KAN, in the official capacity as Vice Chairman of the Postal Service Board of Governors; RONALD STROMAN, in the official capacity as a Member of the Postal Service Board of Governors; DANIEL TANGHERLINI, in the official capacity as a Member of the Postal Service Board of Governors,

Defendants - Appellants.

No. 26-1779

STATE OF CALIFORNIA; COMMONWEALTH OF MASSACHUSETTS; STATE OF NEVADA; STATE OF WASHINGTON; STATE OF ARIZONA; STATE OF COLORADO; STATE OF CONNECTICUT; STATE OF DELAWARE; DISTRICT OF COLUMBIA; STATE OF ILLINOIS; STATE OF MAINE; STATE OF MARYLAND; STATE OF MICHIGAN;

STATE OF MINNESOTA; STATE OF NEW JERSEY; STATE OF NEW MEXICO; STATE OF NEW YORK; STATE OF NORTH CAROLINA; STATE OF OREGON; STATE OF RHODE ISLAND; STATE OF VERMONT; COMMONWEALTH OF VIRGINIA; STATE OF WISCONSIN; JOSH SHAPIRO, in the official capacity as Governor of the Commonwealth of Pennsylvania,

Plaintiffs - Appellees,

v.

STATE OF ALABAMA; STATE OF MISSOURI; STATE OF FLORIDA; STATE OF INDIANA; STATE OF KANSAS; STATE OF LOUISIANA; STATE OF MONTANA; STATE OF NEBRASKA; STATE OF OKLAHOMA; STATE OF SOUTH CAROLINA; STATE OF SOUTH DAKOTA; STATE OF TEXAS,

Interested Parties - Appellants,

DONALD J. TRUMP, in the official capacity as President of the United States; UNITED STATES DEPARTMENT OF JUSTICE; TODD BLANCHE, in the official capacity as Acting U.S. Attorney General; US DEPT. OF HOMELAND SECURITY; MARKWAYNE MULLIN, in the official capacity as Secretary of the United States Department of Homeland Security; SOCIAL SECURITY ADMINISTRATION; FRANK J. BISIGNANO, in the official capacity as Commissioner of the United States Social Security Administration; US POSTAL SERVICE; DAVID STEINER, in the official capacity as Postmaster General and Chief Executive Officer of the Postal Service; DOUGLAS TULINO, in the official capacity as Deputy Postmaster General, Chief Operating Officer and Chief Human Resources Officer of the Postal Service and Member of the Postal Service Board of Governors; AMBER MCREYNOLDS, in the official capacity as Chair of the Postal Service Board of Governors; DEREK T. KAN, in the official capacity as Vice Chairman of the Postal Service Board of Governors; RONALD STROMAN, in the official capacity as a Member of the Postal Service Board of Governors; DANIEL MARK TANGHERLINI, in the official capacity as a Member of the Postal Service Board of Governors,

Defendants.

ORDER OF COURT

Entered: July 8, 2026
Pursuant to 1st Cir. R. 27.0(d)

Before the court are the two above-captioned appeals from the same district court proceeding. These two appeals are hereby consolidated for purposes of pre-briefing motions, briefing, and any oral argument. If any party objects to consolidation, they should file that objection by 12:00 p.m. on July 9, 2026.

Defendant-Appellants in Appeal No. 26-1774 have filed a motion for stay pending appeal. Plaintiff-Appellees are directed to file a response to that motion by 12:00 p.m. on July 13, 2026.

Defendant-Appellants in Appeal No. 26-1774 are directed to file a reply by 12:00 p.m. on July 15, 2026.

Interested Parties in Appeal No. 26-1779 have not filed any motion for stay pending appeal but earlier sought stay relief in the district court. If Interested Parties in Appeal No. 26-1779 intend to file a motion for stay pending appeal in this court, then they are directed to do so by 12:00 p.m. on July 10, 2026. If there is such a motion, Plaintiff-Appellees may file a combined opposition that may exceed the default page limit by 5 pages, or may file separate oppositions; in either form, the opposition to any such motion shall be due at the same time as the opposition to the motion for stay pending appeal in Appeal No. 26-1774. Interested Parties in Appeal No. 26-1779 may file a reply in support of any motion for stay by the deadline for the reply for Defendant-Appellants in Appeal No. 26-1774.

In their papers (including the papers for any new motion for stay pending appeal), the parties are directed to address (1) any implications for appellate jurisdiction from the entry of judgment after the filing of the notices of appeal, given that there was no notice of appeal after that judgment; and (2) the effect on the stay analysis (including equitable considerations) of other relevant suits currently pending within the District Court for the District of Columbia (including Case Nos. 1:20-cv-02295, 1:26 cv-01114, 1:26-cv-01132, and 1:26-cv-01151) or at the Court of Appeals for the District of Columbia Circuit (including Appeal No. 26-5193 and the pending appeal from Case No. 1:20-cv-02295). The parties should also apprise the court of any other pending relevant suits in any other forum.

The court intends to rule on the request(s) for stay relief as soon as practicable once the motion has been briefed or the motions have been briefed.

By the Court:

Anastasia Dubrovsky, Clerk

cc:

Ian D. Prior, Alexander Barrett Bowdre, Louis Joseph Capozzi III, Graham Miller, John Michael Patton, Benjamin S. Gilberg, David M.S. Dewhirst, Jason J. Muehlhoff, James A. Barta, James R. Rodriguez, Kelsey L. Smith, J. Benjamin Aguinaga, Christian B. Corrigan, Cody S. Barnett, Garry M. Gaskins II, Joseph David Spate, Grant Michael Flynn, Monroe David Bryant Jr., Donald Campbell Lockhart, Rayford A. Farquhar, Abraham R. George, Laura Myron, Stephen Michael Pezzi, Esam Al-Shareffi, David C. Kravitz, Michael Patrick Moore Jr., Jared B. Cohen, Vanessa Arslanian, Jak Kundl, Heidi Parry Stern, Kiel Ireland, Ian Fein, Thomas Patterson, Anne P. Bellows, Kevin Lee Quade, Lisa Catherine Ehrlich, Malcolm Andreas Brudigam, Michael Surren Cohen, Robert William Setrakian, Seth Goldstein, Jane Reilley, Cristina Sepe, Karl D. Smith, Tera M. Heintz, Syreeta Tyrell, Joshua M. Whitaker, Kara M. Karlson, Karen J. Hartman-Tellez, Shannon Wells Stevenson, Peter Baumann, Maura Bridget Murphy, Vanessa L. Kassab, Ian R. Liston, Caroline S. Van Zile, Eliza Simon, Alex Hemmer, Holly F.B. Berlin, Vikas Didwania, Katherine Thompson, Virginia Anne Williamson, Neil

Giovanatti, Erik Grill, Angela Behrens, Lindsey E. Middlecamp, Allen Barr, Joshua Paul Bohn, Meghan Musso, Jonathan B. Mangel, James Grayson, Bailey Colfax, Rabia Muqaddam, Colleen K. Faherty, Judith N. Vale, Daniel Paul Mosteller, Robert A. Koch, Thomas H. Castelli, James J. Arguin, Kyla Duffy, Ryan P. Kane, Tillman J. Breckenridge, Lynn Kristine Lodahl, Michael J. Fischer, Charlotte Gibson, Jacob Boyer, Inga S. Bernstein, Richard D. Bernstein, Jonathan Benjamin Miller, Raphael Kalikstein, Matthew James O'Brien, Samuel T. Harbourt, Jane Elinor Notz, Barbara D. Underwood, Laura Howard, Alex Goldstein

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