IN THE UNITED STATES COURT OF APPEALS
FOR THE FIRST CIRCUIT

ASSOCIATION OF AMERICAN
UNIVERSITIES; AMERICAN COUNCIL ON
EDUCATION; ASSOCIATION OF PUBLIC
AND LAND-GRANT UNIVERSITIES;
ARIZONA BOARD OF REGENTS ON
BEHALF OF ARIZONA STATE
UNIVERSITY; BROWN UNIVERSITY;
CALIFORNIA INSTITUTE OF
TECHNOLOGY; THE REGENTS OF THE
UNIVERSITY OF CALIFORNIA; BOARD OF
GOVERNORS OF THE COLORADO STATE
UNIVERSITY SYSTEM ACTING BY AND
THROUGH COLORADO STATE
UNIVERSITY; CORNELL UNIVERSITY;
THE BOARD OF TRUSTEES OF THE
UNIVERSITY OF ILLINOIS; THE JOHNS
HOPKINS UNIVERSITY; UNIVERSITY OF
MARYLAND, COLLEGE PARK;
MASSACHUSETTS INSTITUTE OF
TECHNOLOGY; UNIVERSITY OF
PITTSBURGH OF THE COMMONWEALTH
SYSTEM OF HIGHER EDUCATION;
UNIVERSITY OF WASHINGTON,
   Plaintiffs-Appellees,

v.

US DEPARTMENT OF DEFENSE; PETE
HEGSETH, in the official capacity as Secretary
of the US Department of Defense,
   Defendants-Appellants.

No. 25-2184

UNOPPOSED MOTION TO
VOLUNTARILY DISMISS APPEAL

Pursuant to Federal Rule of Appellate Procedure 42(b), defendants-appellants U.S. Department of Defense and Pete Hegseth hereby move to dismiss this appeal, with each party to bear its own costs. Counsel for plaintiffs-appellees have authorized us to state that they do not oppose this motion.

Respectfully submitted,

AUGUST E. FLENTJE
  /s/ *Jennifer L. Utrecht*
JENNIFER L. UTRECHT
  (202) 353-9039
Attorneys
Civil Division, Appellate Staff
U.S. Department of Justice
950 Pennsylvania Ave NW, Room 7710
Washington, D.C. 20530

FEBRUARY 2026

CERTIFICATE OF COMPLIANCE

I hereby certify that the foregoing complies with the type-volume limitation of Fed. R. App. P. 27(d)(2) because it contains 51 words, according to the count of Microsoft Word.

/s/ Jennifer L. Utrecht
Jennifer L. Utrecht

CERTIFICATE OF SERVICE

I hereby certify that on February 10, 2026, I filed and served the foregoing with the Clerk of the Court by causing a copy to be electronically filed via the appellate CM/ECF system. I also hereby certify that the participants in the case are registered CM/ECF users and will be served via the CM/ECF system.

/s/ *Jennifer L. Utrecht*
Jennifer L. Utrecht