



**U.S. Department of Justice**  
Civil Division, Appellate Staff  
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January 11, 2024

VIA CM/ECF

Catherine O'Hagan Wolfe, Clerk  
United States Court of Appeals  
for the Second Circuit  
Thurgood Marshall United States Courthouse  
40 Foley Square  
New York, NY 10007

RE: *State of New York et al. v. U.S. Dep't of Health & Human Servs. et al.*, Nos.  
19-4254, 20-31, 20-32, 20-41

Dear Ms. Wolfe:

We submit this letter in connection with the Court's order of December 8, 2022, relating to the parties' stipulation to withdraw these appeals pursuant to Local Rule 42.1, without prejudice to any party's ability to reinstate one or more of the appeals within 60 days after HHS completes the process of revisiting the rule entitled "Protecting Statutory Conscience Rights in Health Care; Delegations of Authority," 84 Fed. Reg. 23,170 (May 21, 2019). We write to inform the Court that HHS has completed its rulemaking process and has published in the Federal Register today a rule entitled "Safeguarding the Rights of Conscience as Protected by Federal Statutes," 89 Fed. Reg. 2,078 (Jan. 11, 2024).

Sincerely,

s/ Leif Overvold  
Leif Overvold  
U.S. Department of Justice  
Appellate Staff, Civil Division

cc (via CM/ECF): Counsel of Record