

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

**Audrey Jones, Nicholas Jones, Greg  
Schrock, and Marianelly Schrock,**

Plaintiffs,

v.

**Kiame Mahaniah**, Secretary of the  
Massachusetts Department of Health and  
Human Services, in his official  
capacity;

**Staverne Miller**, Commissioner of the  
Massachusetts Department of Children and  
Families, in her official capacity;

**Lori-Ann Dibella**, Manager of the  
Northern Regional Licensing Unit of the  
Massachusetts Department of Children and  
Families, in her official capacity; and

**Sarah Petty**, Supervisor of the  
Northern Regional Licensing Unit of the  
Massachusetts Department of Children and  
Families, in her official capacity;

Defendants.

Case No. 4:25-cv-12449-MGM

**Plaintiffs' Motion to Withdraw  
Motion for Preliminary  
Injunction**

Plaintiffs respectfully move to withdraw their motion for preliminary injunction. *See* Dkt. No. 22.

Plaintiffs moved for a preliminary injunction on November 14, 2025, seeking immediate relief against 110 C.M.R. § 7.104, the challenged policy in this case. *Id.* On December 12, Massachusetts's Department of Children and Families ("DCF") filed an emergency amendment to 110 C.M.R. § 7.104 that took effect immediately. *See* Ex A. On December 15, Plaintiffs conferred with Defendants. In that conferral, Defendants represented that their expectation is that, under the amended

regulation, DCF will not deny Plaintiffs a license to become foster parents based on Plaintiffs' religious objections to the previous requirements related to LGBTQIA+ identities.

In light of these amendments to the challenged policy, Plaintiffs are hopeful that they can now obtain their license or seek to renew their license under the amended rule, and they are willing to seek licensure instead of pursuing preliminary relief at this time. Because the licensure process has not yet played out, Plaintiffs reserve the right to seek preliminary relief should they encounter problems in the licensure process that impinge on their constitutional or statutory rights.

Therefore, Plaintiffs respectfully request to withdraw their motion for a preliminary injunction *without prejudice* while they seek to renew and/or reapply for their foster-care licenses under Massachusetts's new rule.

Respectfully submitted this 16th day of December, 2025.

/s/ Johannes Widmalm-Delphonse

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### **CERTIFICATE OF SERVICE**

I hereby certify that on December 16, 2025, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system, which will serve all counsel of record.

/s/Johannes Widmalm-Delphonse  
Johannes Widmalm-Delphonse  
*Counsel for Plaintiffs*