

Plaintiffs challenge in this Court. *Tex. Med. Ass'n et al. v. Dept. of Health and Human Servs. et al.*, No. 6:21-CV-425-JDK, 2022 WL 542879, at *15 (E.D. Tex. Feb. 23, 2022).

4. The Defendants have already taken comments from the public, and have begun preparing a final rule. The Defendants anticipate that a final rule will be issued in the coming weeks. That final rule will replace the portions of the interim final rule that Plaintiffs have challenged in this action, and that were also at issue in *Texas Medical Association*.

5. The Defendants filed a notice of appeal of the judgment in *Texas Medical Association*. The Defendants anticipate that the final rule will be issued before that appeal would be fully briefed or decided. The Fifth Circuit has granted the parties' request to stay that appeal in anticipation of the issuance of the final rule. *See Order, Tex. Med. Ass'n v. HHS*, No. 22-40264 (5th Cir. May 3, 2022).

6. In light of the vacatur of the interim final rule and the forthcoming final rule, the parties jointly moved for a stay of proceedings in this case for sixty days. This Court granted that motion. Order Granting Joint Motion for Stay, ECF No. 25.

7. For the same reasons, the parties jointly moved to continue the stay of proceedings in this case, first for an additional forty-five days, and then for an additional thirty days. This Court granted these motions as well. Order Granting Joint Motion for Stay, ECF No. 29; Order Granting Joint Motion for Stay, ECF No. 32.

8. The parties have conferred and have agreed that it would best serve the interests of efficiency and economy to continue the stay of proceedings in this case for an additional sixty days.

9. This Court has the inherent power to grant this request to continue the stay of proceedings. *See, e.g., Four Seasons Hotels & Resorts, B.V. v. Consorcio Barr S.A.*, 377 F.3d 1164, 1172 n.7 (11th Cir. 2004) (“[A] district court ... retains the inherent authority to issue a stay for the purposes of managing its own docket.”); *see also Life Ins. Co. of N. Am. v. Williams*, No. 1:15-cv-62, 2015 WL 10961833, at *3 (N.D. Ga. May 22, 2015) (“District courts enjoy the authority to control the disposition of the causes on its docket with economy of time and effort for itself, for counsel, and for the litigants.”).

10. The parties also respectfully request that they be permitted to file a joint status report on or before September 16, 2022.

11. Accordingly, the parties respectfully request that the Court: (1) stay this case for an additional sixty (60) days; (2) enter an order instructing the parties to submit a joint status report on or before September 16, 2022.

12. A proposed order reflecting this proposal is attached.

Dated: July 13, 2022

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