

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
SOUTHERN DIVISION**

**STATE OF MISSISSIPPI, *et al.***

**PLAINTIFFS**

**v.**

**Civil No. 1:22cv113-HSO-RPM**

**XAVIER BECERRA, *in his official  
Capacity as Secretary of Health and  
Human Services, et al.***

**DEFENDANTS**

**ORDER SETTING ORAL ARGUMENT ON PLAINTIFFS’  
MOTION [78] FOR SUMMARY JUDGMENT AND DEFENDANTS’  
CROSS-MOTION [90] FOR SUMMARY JUDGMENT**

BEFORE THE COURT is Plaintiffs State of Mississippi, State of Alabama, State of Arkansas, Commonwealth of Kentucky, State of Louisiana, State of Missouri, and State of Montana’s request for oral hearing in their Motion [78] for Summary Judgment. *See* Mot. [78] at 1. For the reasons that follow, the Court will set oral argument on Plaintiffs’ Motion [78] for Summary Judgment and Defendants’ Cross-Motion [90] for Summary Judgment on March 13, 2024, at 9:30 a.m.

Local Uniform Civil Rule 7(b)(6) provides that the Court “will decide motions without a hearing or oral argument unless otherwise ordered by the court on its own motion or, in its discretion, upon written request made by counsel in an easily discernible manner on the face of the motion or response.” L.U. Civ. R. 7(b)(6). In this case, Plaintiffs requested oral argument on the face of their Motion [78] for Summary Judgment, and the Court finds that oral argument would be appropriate

as to both Plaintiffs' Motion [78] and Defendants' Cross-Motion [90] for Summary Judgment. Accordingly, the Court will set oral argument to be held on both Motions [78], [90] for Summary Judgment.

To the extent any amicus curiae desires to participate in oral argument, the Court will permit it to do so only if the party aligned with its interests is willing to share its argument time with the amicus. If counsel for an amicus will be arguing at the hearing, the parties should notify the Court via email on or before March 8, 2024.

**IT IS, THEREFORE, ORDERED** that, Plaintiffs' Motion [78] for Summary Judgment and Defendants' Cross-Motion [90] for Summary Judgment are set for oral argument on **Wednesday, March 13, 2024**, at 9:30 a.m., before U.S. District Judge Halil Suleyman Ozerden, in Courtroom #806, United States Courthouse, 2012 15th Street, Gulfport, Mississippi. Each side will be given 40 minutes total to argue; this includes any time reserved for rebuttal.

**IT IS, FURTHER, ORDERED** that, the Court will permit an amicus to participate in oral argument only if the party aligned with its interests is willing to share its argument time with the amicus. If counsel for an amicus will argue at the hearing, the parties must notify the Court via email on or before **Friday, March 8, 2024**.

**SO ORDERED AND ADJUDGED**, this the 16<sup>th</sup> day of February, 2024.

*s/ Halil Suleyman Ozerden*

HALIL SULEYMAN OZERDEN  
UNITED STATES DISTRICT JUDGE