

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION

Braidwood Management Inc., et al.,

Plaintiffs,

v.

Xavier Becerra, et al.,

Defendants.

Case No. 4:20-cv-00283-O

JOINT STATUS REPORT

On August 28, 2024, this Court stayed all district-court proceedings pending the disposition of the defendants’ petition for certiorari. *See* Docket Entry No. 140. The Court also instructed the parties to submit a joint status report “30 days after the conclusion of proceedings in the Supreme Court addressing what further proceedings are necessary, if any, and proposing a schedule for any such proceedings.” *Id.* at 1–2. The parties jointly and respectfully submit this status report in accordance with the Court’s order.

On June 27, 2025, the Supreme Court of the United States announced its ruling in *Kennedy v. Braidwood Management Inc.*, No. 24-316. The Supreme Court has not yet issued its mandate, although it should issue any day now. (It typically issues within 25 days of the opinion’s announcement.) The mandate will return the case back to the U.S. Court of Appeals for the Fifth Circuit.

The parties recommend that this Court keep the district-court proceedings stayed until the Fifth Circuit issues a new ruling consistent with the Supreme Court’s opinion and decides whether to remand any part of the appealed portion of the case back to this Court. After the Fifth Circuit disposes of the remanded case, the parties

will confer and submit a status report to this Court within 21 days, proposing next steps and setting forth the parties' respective positions. The parties also ask that the Court continue its extension of the plaintiffs' deadline to file their application for costs and attorneys' fees until after this Court enters a new judgment consistent with the Supreme Court's opinion in *Braidwood*.

A proposed order is attached.

Respectfully submitted.

/s/ Jonathan F. Mitchell
JONATHAN F. MITCHELL
Texas Bar No. 24075463
Mitchell Law PLLC
111 Congress Avenue, Suite 400
Austin, Texas 78701
(512) 686-3940 (phone)
(512) 686-3941 (fax)
jonathan@mitchell.law

Counsel for Plaintiffs

BRETT A. SHUMATE
Assistant Attorney General

MICHELLE R. BENNETT
Assistant Branch Director

/s/ Christopher M. Lynch
CHRISTOPHER M. LYNCH
D.C. Bar No. 1049152
United States Department of Justice
Civil Division
1100 L Street, NW
Washington, DC 20005
(202) 353-4537 (phone)
(202) 616-8460 (fax)
christopher.m.lynch@usdoj.gov

Counsel for Defendants

Dated: July 26, 2025

CERTIFICATE OF SERVICE

I certify that on July 26, 2025, I served this document through CM/ECF upon:

CHRISTOPHER M. LYNCH
Trial Attorney
U.S. Department of Justice
Civil Division
1100 L Street, NW
Washington, DC 20005
(202) 353-4537 (phone)
(202) 616-8460 (fax)
christopher.m.lynch@usdoj.gov

BRIAN W. STOLTZ
Assistant United States Attorney
1100 Commerce Street, Third Floor
Dallas, Texas 75242-1699
(214) 659-8626 (phone)
(214) 659-8807 (fax)
brian.stoltz@usdoj.gov

Counsel for the Defendants

/s/ Jonathan F. Mitchell
JONATHAN F. MITCHELL
Counsel for Plaintiffs

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION

Braidwood Management Inc., et al.,

Plaintiffs,

v.

Xavier Becerra, et al.,

Defendants.

Case No. 4:20-cv-00283-O

**[PROPOSED] ORDER CONTINUING STAY OF PROCEEDINGS
AND EXTENDING PLAINTIFFS' DEADLINE TO FILE
APPLICATION FOR COSTS AND FEES**

The Court stays all proceedings in this case until after the U.S. Court of Appeals for the Fifth Circuit issues a new ruling consistent with the Supreme Court's opinion in *Kennedy v. Braidwood Management Inc.*, No. 24-316.

After the Fifth Circuit disposes of the remanded case from the Supreme Court, the parties shall meet and confer and submit a joint status report within 21 days of the Fifth Circuit's ruling.

The Court extends the plaintiffs' deadline to file their application for costs and attorneys' fees until after this Court enters a new judgment consistent with the Supreme Court's opinion in *Braidwood*.

Dated: _____

REED O'CONNOR
UNITED STATES DISTRICT JUDGE