

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

ASSOCIATION FOR COMMUNITY
AFFILIATED PLANS, *et al.*,

Plaintiffs,

v.

UNITED STATES DEPARTMENT OF
TREASURY, *et al.*,

Defendants.

Civil Action No. 18-2133 (RJL)

**DEFENDANTS' RESPONSE TO PLAINTIFFS' MOTION FOR
ORDER APPROVING PROPOSED AGREED-UPON BRIEFING SCHEDULE**

Defendants, the Departments of Health and Human Services, Labor, and the Treasury and their respective Secretaries, hereby respond to Plaintiffs' Motion for Order Approving Proposed Agreed-Upon Briefing Schedule for Plaintiffs' Motion for a Preliminary Injunction, ECF No. 4. Although Defendants agreed to the proposed schedule set forth in that Motion, they did not anticipate—nor did they consent to—the Motion's inclusion of five pages of arguments on why Plaintiffs are entitled to preliminary injunctive relief. Defendants will respond to the highly-contested substantive issues raised in that Motion at the appropriate time in accordance to any briefing schedule this Court may set.

Dated: September 27, 2018

Respectfully Submitted,

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Assistant Attorney General

JEAN LIN
Acting Deputy Director

/s/ Serena M. Orloff

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