

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

_____)	
ASSOCIATION FOR COMMUNITY)	
AFFILIATED PLANS, <i>et al.</i> ,)	
)	Civil Action No. 18-2133 (RJL)
Plaintiffs,)	
)	
v.)	
)	
UNITED STATES DEPARTMENT OF)	
TREASURY, <i>et al.</i> ,)	
)	
Defendants.)	
_____)	

DEFENDANTS’ STATUS REPORT ON LAPSE OF APPROPRIATIONS

On December 31, 2018, the Court issued a minute order granting Defendants’ Motion to Stay Proceedings in Light of Lapse of Appropriations and ordering Defendants to file a status report within 14 days addressing any developments bearing on the Justice Department’s ability to litigate this action. Defendants hereby report that they are aware of no developments impacting the undersigned attorneys’ ability to litigate this action. The appropriation that funds the Department of Justice remains lapsed and the undersigned attorneys do not know when funding will be restored. Absent an appropriation, undersigned counsel are prohibited from working, even on a voluntary basis, except in very limited circumstances, including “emergencies involving the safety of human life or the protection of property.” 31 U.S.C. § 1342. Defendants therefore request that the Court continue the stay of the case until Congress has restored appropriations to the Department and the undersigned attorneys are permitted to resume their usual civil litigation functions.

Dated: January 14, 2019

Respectfully submitted,

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Assistant Attorney General

JEAN LIN
Acting Deputy Director

/s/ Serena Orloff
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Plaintiffs,

v.

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

Defendants.

Civil Action No. 18-2133 (RJL)

[PROPOSED] ORDER

UPON CONSIDERATION of Defendants' Status Report on Lapse of Appropriations, and the entire record herein, it is hereby **ORDERED** that:

1. This case shall continue to be **STAYED** until Congress has restored appropriations to the Department of Justice; and
2. Once appropriations for the Department of Justice are restored, counsel for Defendants shall file a notice with the Court and pending deadlines shall be extended commensurate with the duration of the lapse in appropriations.

Dated: _____

Richard J. Leon
United States District Court Judge