

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

FEDERAL TRADE COMMISSION,

Plaintiff,

v.

U.S. ANESTHESIA PARTNERS, INC.,

Defendant.

Case No.: 4:23-CV-03560-KH

Plaintiff Federal Trade Commission’s Unopposed Motion to Stay Due to Lapse in Funding

Plaintiff Federal Trade Commission hereby moves for a stay of all proceedings in the above-captioned case.

1. At 11:59 p.m. on September 30, 2025, the continuing resolution that had been funding the FTC expired and appropriations to the Commission lapsed. *See* H.R. 1968, Full-Year Continuing Appropriations and Extensions Act of 2025, at § 1106. The Commission does not know when funding will be restored by Congress.
2. Absent a congressional appropriation, FTC attorneys are prohibited from working, even on a voluntary basis, “except for emergencies involving the safety of human life or the protection of property.” 31 U.S.C. § 1342.
3. Counsel for the FTC therefore respectfully requests that this Court stay all proceedings in this case until Congress has restored appropriations to the FTC.
4. If this motion to stay is granted, undersigned counsel will notify the Defendant and the Court as soon as Congress has appropriated funds for the Commission. The FTC requests

that, at that point, all current deadlines for the parties be extended commensurate with the duration of the lapse in appropriations.

5. If the Court denies this motion, the FTC will comply with the Court's order, which would constitute express legal authorization for the FTC to continue to work on this matter.
6. USAP does not object to this Motion.

Therefore, although we greatly regret any disruption, the FTC hereby moves for a stay of all proceedings until FTC attorneys are permitted to resume their usual civil litigation functions.

Dated: October 1, 2025

Respectfully submitted,

/s/ Kara Monahan

Kara Monahan
NJ Bar No. 011392010 (Pro Hac Vice)
600 Pennsylvania Avenue, N.W.
Washington, D.C. 20580
202-326-2018
kmonahan@ftc.gov

*Counsel for Plaintiff
Federal Trade Commission*

CERTIFICATE OF CONFERENCE

I hereby certify that undersigned counsel for the FTC communicated with counsel for USAP by videoconference on September 30, 2025 and by email on October 1, 2025 regarding this motion. Geoffrey Klineberg, counsel for USAP, confirmed that USAP does not object to this motion.

I declare under penalty of perjury that the foregoing is true and correct.

/s/ Kara Monahan _____
Kara Monahan
NJ Bar No. 011392010 (Pro Hac Vice)
600 Pennsylvania Avenue, N.W.
Washington, D.C. 20580
202-326-2018
kmonahan@ftc.gov

*Counsel for Plaintiff
Federal Trade Commission*

CERTIFICATE OF SERVICE

I hereby certify that on this day, I caused the foregoing Plaintiff Federal Trade Commission's Unopposed Motion to Stay Due to Lapse in Funding and proposed order to be served on all counsel of record using the ECF system of the United States District Court for the Southern District of Texas.

Dated: October 1, 2025

/s/ Kara Monahan
Kara Monahan
NJ Bar No. 011392010 (Pro Hac Vice)
600 Pennsylvania Avenue, N.W.
Washington, D.C. 20580
202-326-2018
kmonahan@ftc.gov

*Counsel for Plaintiff
Federal Trade Commission*