

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

FEDERAL TRADE COMMISSION,

Plaintiff,

v.

U.S. ANESTHESIA PARTNERS, INC., et al.

Defendants.

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

**DEFENDANT U.S. ANESTHESIA PARTNERS, INC.’S NOTICE REGARDING
MOTION TO DISMISS APPEAL FILED IN FIFTH CIRCUIT**

U.S. Anesthesia Partners, Inc., will be filing its opposition to the Federal Trade Commission’s motion to dismiss with the Fifth Circuit on July 29, 2024. Briefing on the motion to dismiss the appeal should be complete by August 5. The FTC’s motion only confirms what USAP has already noted – that the issue of whether the appeal is proper is now before the Fifth Circuit, and this Court, respectfully, should “stay its proceedings,” *Coinbase, Inc. v. Bielski*, 599 U.S. 736, 747 (2023), until the court of appeals has resolved that question.

Dated: July 23, 2024

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Counsel for Defendant U.S. Anesthesia Partners, Inc.

CERTIFICATE OF SERVICE

I hereby certify that on July 23, 2024, I filed the foregoing document with the Court and served it on opposing counsel through the Court's CM/ECF system. All counsel of record are registered ECF users.

Respectfully submitted,

/s/ Mark C. Hansen

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