

No. 24-3700, No. 24-3655, No. 24-3654

IN THE
United States Court of Appeals for the Ninth Circuit

JANE DOE, *et al.*,

Plaintiffs-Appellants,

v.

ROB BONTA, in his official capacity
as Attorney General; *et al.*,

Defendants-Appellees.

FRESENIUS MEDICAL CARE ORANGE COUNTY, LLC, *et al.*,

Plaintiffs-Appellants,

v.

ROB BONTA, in his official capacity
as Attorney General; *et al.*,

Defendants-Appellees.

On Appeal from the United States District Court
for the Central District of California
No. 8:19-cv-02105 DOC (ADSx)

**DECLARATION OF ARI HOLTZBLATT IN
SUPPORT OF APPELLANTS' CONSENT
MOTION TO MODIFY THE BRIEFING
SCHEDULE**

I, Ari Holtzblatt, hereby declare:

1. I am a partner at the law firm of Wilmer Cutler Pickering Hale and Dorr LLP and a member of the bar of this Court. I represent Appellant DaVita Inc.

2. The operative briefing schedule, proposed by the parties on June 20, 2024 (Dkt. No. 13) and entered by the Court on June 24, 2024 (Dkt. No. 14), inadvertently set the deadline for Appellants' response and reply briefs on a federal holiday, February 17, 2025.

3. Appellants therefore respectfully request that the Court extend the remainder of the briefing schedule by two business days, as follows:

- Appellants' response and reply briefs: February 19, 2025
- State Appellees' reply briefs: May 6, 2025

4. The parties have met and conferred, and all parties agree to this schedule.

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

Dated: January 17, 2025

s/ Ari Holtzblatt
Ari Holtzblatt
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*Counsel for Appellant DaVita
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CIRCUIT RULE 25-5 ATTESTATION

I attest that all Plaintiffs-Appellants concur in the content of this filing.

s/ Ari Holtzblatt _____
Ari Holtzblatt

**UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT**

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9th Cir. Case Number(s) 24-3700, 24-3655, 24-3654

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Appellants' Consent Motion to Modify the Briefing Schedule

Signature /s/ Ari Holtzblatt **Date** January 17, 2025

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No. 8:19-cv-02105 DOC (ADSx)

**APPELLANTS' CONSENT MOTION TO
MODIFY THE BRIEFING SCHEDULE**

Pursuant to Rule 27 of the Federal Rules of Appellate Procedure,
Circuit Rule 27-1, and Circuit Advisory Committee Note to Rule 27-1(6),
Appellants Fresenius Medical Care Orange County, LLC; Fresenius

Medical Care Holdings, Inc., doing business as Fresenius Medical Care North America; DaVita Inc.; and U.S. Renal Care, Inc. (collectively, “**Provider Appellants**”), and the American Kidney Fund; Dialysis Patient Citizens; and Jane Does (collectively, “**AKF Appellants**”), respectfully move the Court to modify the briefing schedule for this appeal. Appellants are authorized to inform the Court that the State Appellees agree to the scheduled proposed here.

The operative briefing schedule, proposed by the parties on June 20, 2024 (Dkt. No. 13) and entered by the Court on June 24, 2024 (Dkt. No. 14), inadvertently set the deadline for Appellants’ response and reply briefs on a federal holiday, February 17, 2025. The parties have therefore agreed to reciprocal extensions of the remainder of the briefing schedule by two business days, as follows:

- Appellants’ response and reply briefs: February 19, 2025
- State Appellees’ reply briefs: May 6, 2025

The parties have met and conferred, and all parties agree to this schedule.

CONCLUSION

Appellants respectfully request the Court adopt the briefing scheduled proposed here.

Dated: January 17, 2025

Respectfully submitted,

s/ Ari Holtzblatt

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Medical Care North America*

January 17, 2025

CIRCUIT RULE 25-5 ATTESTATION

I attest that all Plaintiffs-Appellants concur in the content of this filing.

s/ Ari Holtzblatt _____
Ari Holtzblatt