

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
SOUTHERN DIVISION**

**STATE OF TENNESSEE, et  
al.**

**PLAINTIFFS**

**v.**

**CAUSE NO. 1:24cv161-LG-BWR**

**ROBERT F. KENNEDY, JR.,  
in his official capacity as  
Secretary of the United  
States Department of Health  
and Human Services, et al.**

**DEFENDANTS**

**ORDER DENYING PLAINTIFFS' MOTION  
FOR ENTRY OF BRIEFING SCHEDULE AND  
GRANTING DEFENDANTS' MOTION TO STAY**

This Court's [29] Memorandum Opinion and Order Granting Plaintiffs' Motion for a Preliminary Injunction is on appeal before the United States Court of Appeals for the Fifth Circuit. Plaintiffs have filed with this Court a [32] Motion for Entry of a Briefing Schedule for Dispositive Motions, and Defendants have filed a [46] Motion to Stay Proceedings pending appeal.

Due to the recent change in administration on January 20, 2025, the Fifth Circuit extended the briefing schedule for the appeal of the Preliminary Injunction entered by this Court. And, Defendants have now filed an Unopposed Motion to hold the appeal in abeyance for sixty days, asserting that the Department of Justice and the Department of Health and Human Services are under new leadership that needs time to familiarize itself with this litigation. Given these developments and in the interest of judicial economy, the Court finds that this case should be stayed pending the conclusion of the appeal.

**IT IS THEREFORE ORDERED AND ADJUDGED** that Plaintiffs' [32] Motion for Entry of a Briefing Schedule for Dispositive Motions is **DENIED**, and Defendants' [46] Motion to Stay is **GRANTED**. The proceedings in this matter are **STAYED PENDING APPEAL**.

**IT IS FURTHER ORDERED AND ADJUDGED** that Defendants are ordered to notify this Court once the appeal is concluded.

**SO ORDERED AND ADJUDGED** this the 13<sup>th</sup> day of February, 2025.

*s/ Louis Guirola, Jr.*

LOUIS GUIROLA, JR.  
UNITED STATES DISTRICT JUDGE