

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA
HUNTINGTON DIVISION**

GENBIOPRO, INC.,

Plaintiff,

v.

Civil Action No. 3:23-cv-00058

**MARK A. SORSAIA, in his official
capacity, AND PATRICK MORRISEY, in
his official capacity,**

Hon. Robert C. Chambers

Defendants.

DEFENDANTS' MOTION FOR STAY

Defendants, Mark A. Sorsaia, in his official capacity as Prosecuting Attorney for Putnam County, and Patrick Morrisey, in his official capacity as Attorney General of the State of West Virginia, move for a stay of this case pending the outcome of *Alliance for Hippocratic Medicine v. U.S. Food & Drug Administration*, No. 2:22-cv-00223 (N.D. Tex.). As explained in Defendants' memorandum in support of this motion, the outcome of that case may well render this lawsuit moot. Thus, in the interest of judicial economy, Defendants respectfully request that the Court stay this case until a final decision is reached in *Alliance for Hippocratic Medicine v. Food & Drug Administration*.

Respectfully submitted,

PATRICK MORRISEY

West Virginia Attorney General

/s/ Curtis R. A. Capehart

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of West Virginia*

MARK SORSAIA

Putnam County Prosecuting Attorney

/s/ Jennifer Scragg Karr (by permission)

Jennifer Scragg Karr (WV Bar # 8051)

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CERTIFICATE OF SERVICE

I hereby certify that, on this 18th day of April, 2023, I electronically filed the foregoing “Defendants’ Motion for Stay” with the Clerk of Court and all parties using the CM/ECF System.

/s/ Curtis R. A. Capehart
Curtis R. A. Capehart
Deputy Attorney General