

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION**

AMERICAN ASSOCIATION OF
ANCILLARY BENEFITS, *et al.*,

Plaintiffs,

v.

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

Defendants.

Case No. 4:24-cv-00783-SDJ

MOTION FOR A 90-DAY STAY OR AN EXTENSION OF TIME

Defendants' reply brief in this Administrative Procedure Act case is currently due tomorrow, February 19. ECF No. 65. The government respectfully requests a ninety (90) day stay of all proceedings in this matter, to allow new agency leadership sufficient time to evaluate the government's position in this case and determine how best to proceed. In the alternative, and for the same reason, the government respectfully requests an extension of its time to file a reply brief by an additional two weeks, until March 5. Plaintiffs oppose both forms of relief.

A proposed order is attached.

Respectfully submitted,

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Acting Assistant Attorney General

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/s/ James Bickford

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Counsel for Defendants

Date: February 18, 2025

CERTIFICATE OF CONFERENCE

On February 18, 2025, I conferred by telephone with Dominick Lanzito, counsel for plaintiffs, regarding defendants' intention to file this motion. Plaintiffs are opposed to both the stay and the extension requested here.

/s/ James Bickford

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[PROPOSED] ORDER

[] Defendants' motion for a stay is hereby **GRANTED**, and all proceedings in this matter are **STAYED** until May 19, 2025.

[] Defendants' motion for an extension of time is hereby **GRANTED**. Defendants are **ORDERED** to file their reply in support of their cross-motion for summary judgment no later than March 5, 2025, and to file a joint appendix no later than March 14, 2025.