

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

CATHOLIC MEDICAL ASSOCIATION,

Plaintiff,

v.

UNITED STATES DEPARTMENT OF
HEALTH AND HUMAN SERVICES, *et*
al.,

Defendants.

No. 3:25-cv-00048

Judge Campbell
Magistrate Judge Frensley

CONSENT MOTION TO EXTEND ANSWER DEADLINE

Defendants respectfully move, with Plaintiff's consent, for a 7-day extension of their deadline to respond to the Complaint, and an equivalent extension of the parties' subsequent deadline to submit a schedule for further proceedings, and in support state:

1. Plaintiff challenges a July 2022 Memorandum from the Centers for Medicare & Medicaid Services with the subject "Reinforcement of EMTALA Obligations specific to Patients who are Pregnant or are Experiencing Pregnancy Loss" and an accompanying Letter from the Secretary of Health and Human Services. Compl. ¶ 1.
2. The Court previously granted two scheduling motions. First, it granted the parties' joint motion to vacate the initial scheduling conference, extend the answer deadline to April 30, and require the parties to submit a proposed

schedule for further proceedings by May 14. *See* ECF No. 22. Second, it granted Defendants' consent motion to extend those deadlines by an additional 30 days, such that the answer deadline is currently May 30, and the deadline to submit a proposed schedule for further proceedings is June 14. *See* ECF No. 24.

3. There is good cause for this request. New leadership at the Department of Health and Human Services continues to actively consider how best to respond to the Complaint, but respectfully requests additional time to do so, including to evaluate whether it may be possible to resolve this case without litigation and the attendant burden on judicial resources. Accordingly, Defendants respectfully request that the answer deadline be extended by an additional 7 days, from May 30 to June 6, and that the parties' deadline to submit a proposed schedule for further proceedings, if any should prove necessary, be extended by an equivalent period, to June 20 (provided that, in the event Defendants were to respond to the Complaint by moving to dismiss, Plaintiff's response would not be due before July 7).

4. There are no other deadlines in this case, including for dispositive motions, and no trial date has been set. This motion is therefore consistent with Local Rule 16.01's requirement that no dispositive motion deadline be later than 90 days in advance of the trial date.

5. Undersigned counsel has conferred with counsel for Plaintiff, who consents to this request.

WHEREFORE, Defendants respectfully request that the Court extend the deadline to respond to the Complaint until June 6, and the parties' deadline to submit a proposed schedule for further proceedings until June 20.

Dated: May 30, 2025

Respectfully submitted,

/s/ Eric Beckenhauer

Eric B. Beckenhauer

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Counsel for Defendants

CERTIFICATE OF SERVICE

I certify that the foregoing document was filed via the Court's CM/ECF system on May 30, 2025, causing it to be served on all counsel of record.

/s/ *Eric Beckenhauer*

Eric B. Beckenhauer