

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
LAFAYETTE DIVISION

THE STATE OF LOUISIANA,
by and through its Attorney General,
LIZ MURRILL, and ROSALIE
MARKEZICH,

PLAINTIFFS,

v.

U.S. FOOD AND DRUG
ADMINISTRATION, et al.

DEFENDANTS.

Civ. No.: 6:25-cv-01491

Judge: David C. Joseph

Mag. Judge: David J. Ayo

**JOINT MOTION AND NOTICE OF STIPULATION REGARDING AMICUS CURIAE
BRIEFS, ANSWER DEADLINE, AND BRIEFING SCHEDULE**

Plaintiffs the State of Louisiana and Rosalie Markezich and Defendants U.S. Food and Drug Administration, *et al.* (collectively, the “Parties”), by and through their undersigned counsel, respectfully move and state as follows:

1. The Court ordered Defendants to file their brief in opposition to Plaintiffs’ Motion for Preliminary Relief (ECF 20) on or before January 23, 2026, and that Plaintiffs file their reply brief in support of their Motion for Preliminary Relief on or before February 13, 2026.

2. The parties anticipate that non-parties may seek the Court’s leave to file briefs as *amicus curiae* in connection with Plaintiffs’ Motion for Preliminary Relief.

3. The parties therefore propose that any amicus briefs in support of Plaintiffs be due no later than February 13, 2026, and that any amicus briefs in support of Defendants be due no later than February 20, 2026.

4. The parties consent to the filing of amicus briefs and that any amici need not seek the specific consent of either Plaintiffs or Defendants before seeking leave of the Court.

5. The parties further propose that Defendants' deadline to answer or respond to the Complaint be stayed pending the Court's resolution of Plaintiffs' Motion for Preliminary Relief. The parties will propose a new answer or response deadline within two weeks of this Court's ruling on Plaintiffs' Motion.

6. Consistent with the parties' stipulation to suspend Defendants' answer deadline, the parties propose that the Court modify the existing briefing schedule as suggested below, which keeps the February 24 hearing date and completes briefing by February 17:

Defendants' PI opposition/motion to stay: January 27

Intervenors' motions/conditional response: February 3

Plaintiffs' PI reply/stay opposition/intervention opposition: February 17

Hearing: February 24

7. Nothing in this Joint Motion and Stipulation shall be construed as a waiver of any party's right to respond to, address, or otherwise contest the substance of any amicus curiae brief filed with leave of Court.

Dated: January 16, 2026

s/ Erik C. Baptist

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Respectfully submitted,

s/ Caitlin Huettemann

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**PROPOSED ORDER REGARDING JOINT MOTION AND NOTICE OF
STIPULATION REGARDING AMICUS CURIAE BRIEFS, ANSWER DEADLINE,
AND BRIEFING SCHEDULE**

After consideration of the parties' Joint Motion and Notice of Stipulation Regarding Amicus Curiae Briefs, Answer Deadline and Briefing Schedule, the Court grants the Motion and IT IS ORDERED that:

1. Any amicus briefs in support of Plaintiffs are due no later than February 13, 2026, and any amicus briefs in support of Defendants are due no later than February 20, 2026.
2. The parties consent to the filing of amicus briefs and any amici need not seek the specific consent of either Plaintiffs or Defendants before seeking leave of the Court.
3. Defendants' deadline to answer or respond to the Complaint is stayed pending the Court's resolution of Plaintiffs' Motion for Preliminary Relief. The parties will propose a new answer or response deadline within two weeks of this Court's ruling on Plaintiffs' Motion.
4. Consistent with the parties' stipulation to suspend Defendants' answer deadline, the existing briefing schedule is revised as follows:

- a. Defendants' opposition to Plaintiffs' Motion for Preliminary Relief or Motion to Stay: January 27, 2026
- b. Intervenors' motions and conditional response to Plaintiffs' Motion for Preliminary Relief: February 3, 2026
- c. Plaintiffs' Reply in Support of their Motion for Preliminary Relief, Response to Motion to Stay, and Response to Motion to Intervene: February 17, 2026

5. The hearing date is unchanged and remains scheduled for February 24, 2026 at 10:00

a.m.

6. Nothing in the Joint Motion and Stipulation shall be construed as a waiver of any party's right to respond to, address, or otherwise contest the substance of any amicus curiae brief filed with leave of Court.

SO ORDERED on this, the _____ day of January, 2026.

DAVID J. AYO
UNITED STATES MAGISTRATE JUDGE