

No. 25-30568

In the United States Court of Appeals for the Fifth Circuit

DO NO HARM, a nonprofit corporation
incorporated in the State of Virginia,
Plaintiff–Appellant,

v.

JEFF LANDRY, in his official capacity as the Governor to the State of
Louisiana as successor in office to Governor John Bel Edwards,
Defendant–Appellee.

On Appeal from the United States District Court
for the Western District of Louisiana
No. 5:24-CV-0016, Hon. Jerry Edwards, Jr.

FOURTH UNOPPOSED MOTION TO HOLD BRIEFING IN ABEYANCE

ELIZABETH B. MURRILL
Attorney General of Louisiana

OFFICE OF THE ATTORNEY
GENERAL
1885 N. 3rd St.
Baton Rouge, LA 70802
(225) 421-4088

J. BENJAMIN AGUIÑAGA
Solicitor General

ZACHARY FAIRCLOTH
Principal Deputy Solicitor General
Counsel for Defendant–Appellee

CERTIFICATE OF INTERESTED PERSONS

Under Fifth Circuit Rule 28.2.1, a certificate of interested persons is not required because Defendant-Appellee is a governmental party.

MOTION

On March 16, 2026, the Court ordered all briefing deadlines be held in abeyance pending the conclusion of the current Louisiana legislative session on June 1, 2026. By that date, the parties were unable to find a legislative solution. Because the parties continued to agree that the challenged provisions of La. R.S. 37:1263(B) are unconstitutional, the parties requested, and the court granted, an additional 60 days to discuss the possibility of settlement. That abeyance ends Monday, August 10. A final effort at settlement discussions remains ongoing.

Governor Landry therefore respectfully requests that the Court continue to hold briefing deadlines in abeyance for an additional 14 days to permit settlement discussions. This motion is unopposed. Upon the expiration of the abeyance, the parties will file a joint status report updating the Court on the status of settlement discussions and requesting a briefing schedule if need be.

Dated: August 10, 2026

Respectfully submitted,

ELIZABETH B. MURRILL
Attorney General of Louisiana

J. BENJAMIN AGUIÑAGA
Solicitor General

/s/ Zachary Faircloth

ZACHARY FAIRCLOTH
Principal Deputy Solicitor General

OFFICE OF THE ATTORNEY GENERAL
1885 N. 3rd St.
Baton Rouge, LA 70802
(225) 421-4088

Counsel for Defendant-Appellee

CERTIFICATE OF SERVICE

I certify that on August 10, 2026, I filed the foregoing motion with the Court's CM/ECF system, which will automatically send an electronic notice of filing to all counsel of record.

/s/ Zachary Faircloth
ZACHARY FAIRCLOTH

CERTIFICATE OF COMPLIANCE

Pursuant to Fifth Circuit Rule 32.3, the undersigned certifies that this brief complies with:

(1) the type-volume limitations of Federal Rule of Appellate Procedure 27 because it contains 146 words; and

(2) the typeface requirements of Rule 32(a)(5) and the type-style requirements of Rule 32(a)(6) because it has been prepared in a proportionally spaced typeface (14-point Century Schoolbook font) using Microsoft Word (the same program used to calculate the word count).

/s/ Zachary Faircloth
ZACHARY FAIRCLOTH

Dated: August 10, 2026