

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
WICHITA FALLS DIVISION**

**STATE OF TEXAS,
STATE OF KANSAS,
STATE OF LOUISIANA,
STATE OF INDIANA,
STATE OF WISCONSIN, and
STATE OF NEBRASKA**

Plaintiffs,

v.

**UNITED STATES OF AMERICA,
UNITED STATES DEPARTMENT OF
HEALTH AND HUMAN SERVICES,
NORRIS COCHRAN¹, in his official
capacity as ACTING SECRETARY OF
HEALTH AND HUMAN SERVICES,
UNITED STATES INTERNAL REVENUE
SERVICE, and JOHN KOSKINEN, in
his official capacity as COMMISSIONER
OF INTERNAL REVENUE**

Defendants.

Case No. 7:15-cv-00151-O

**CONSENT MOTION FOR EXTENSION OF TIME
AND TO MODIFY SCHEDULING ORDER**

1. Pursuant to Federal Rule of Civil Procedure 6(b)(1)(A), Defendants hereby move for an extension of time to file Defendants’ Motion for Summary Judgment and Response to Plaintiffs’ Motion for Summary Judgment. Defendants’ brief is currently due February 3, 2017. Defendants ask this court to extend this deadline by thirty-one (31) days to March 6, 2017. The

¹ Norris Cochran, Acting Secretary of Health and Human Services, has been substituted for Sylvia Burwell as defendant in this case pursuant to Rule 25(d) of the Federal Rules of Civil Procedure.

requested extension is necessary to allow incoming leadership personnel adequate time to consider the issues.

2. The Court’s scheduling order (ECF No. 52) provides for several subsequent deadlines. Accordingly, in addition to extending the time for Defendants’ to file Defendants’ Motion for Summary Judgment and Response to Plaintiffs’ Motion for Summary Judgment, Defendants also respectfully request that the Court extend each of the remaining subsequent deadlines by the same amount of time (31 days), as follows:

Document	Current Deadline	Proposed Deadline
Defendants’ Motion for Summary Judgment and Response to Plaintiffs’ Motion for Summary Judgment	February 3, 2017	March 6, 2017
Plaintiffs’ Reply in Support of Summary Judgment and Response to Defendants’ Motion for Summary Judgment	February 24, 2017	March 27, 2017
Defendants’ Reply in Support of Summary Judgment	March 13, 2017	April 13, 2017
Expert Objection Deadline	March 13, 2017	April 13, 2017

3. Defendants have conferred with counsel for Plaintiffs regarding this motion, who indicated that Plaintiffs consent to this motion.

4. A proposed order is attached.

Dated: January 26, 2017

Respectfully submitted,

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Civil Division

JOHN R. PARKER
United States Attorney

SHEILA M. LIEBER
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/s/ Julie Straus Harris

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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was submitted on January 26, 2017 with the clerk of the court for the U.S. District Court, Northern District of Texas, via the electronic case filing system. I also certify that a copy of this document was served upon all parties, or their attorneys of record, by electronic delivery on this day.

/s/ Julie Straus Harris
JULIE STRAUS HARRIS