

United States Court of Appeals For the First Circuit

No. 18-1514

COMMONWEALTH OF MASSACHUSETTS,

Plaintiff, Appellant,

v.

UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES; ALEX MICHAEL AZAR, II, in his official capacity as Secretary of Health and Human Services; UNITED STATES DEPARTMENT OF THE TREASURY; STEVEN T. MNUCHIN, in his official capacity as Secretary of the Treasury; UNITED STATES DEPARTMENT OF LABOR; R. ALEXANDER ACOSTA, in his official capacity as Secretary of Labor,

Defendants, Appellees.

ORDER OF COURT

Entered: December 21, 2018

The federal defendants in this appeal have filed a motion to govern further proceedings, asking that the appeal be permitted to go forward. We resolve the motion as follows: the appeal may continue to the completion of briefing. The government's brief shall be due on **January 9, 2019** and the Commonwealth's reply within the time thereafter as is provided by the rules. We take no position on the views of the parties as expressed in their filings as to whether the appeal, or any part thereof, is moot, and the parties shall address that issue thoroughly in the remaining briefing.

By the Court:

Maria R. Hamilton, Clerk

cc:

Jonathan B. Miller
Julia Eleanor Kobick
Jonathan T. Burke
Cynthia A. Young
Sharon Swingle

Lowell Vernon Sturgill Jr.
Jason C. Weida
Joel McElvain
Karen Schoen
Kevin H. Theriot
Andrew David Beckwith
Kenneth J. Connelly
Brigitte Amiri
Kathryn R. Cook
Matthew R Segal
Jessie J. Rossman
Jon M. Greenbaum
Diana Kasdan
Naomi Barrowclough
Bruce H. Schneider
M. Duncan Grant
Benjamin J. Eichel
Ernest A. Young
Melina Maria Meneguin Layerenza
Allan J. Arffa
Crystal Johnson
Elizabeth J. Grossman
Michael J. Fischer
Laura Trice
Erin Bernstein
Christopher Escobedo Hart
Jamie A. Levitt
Rhiannon N. Batchelder