

UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
FORT WORTH DIVISION

**Richard W. DeOtte, et al.,**

Plaintiffs,

v.

Case No. 4:18-cv-00825-O

**Alex M. Azar II, et al.,**

Defendants.

**UNOPPOSED MOTION TO LIFT STAY OF PROCEEDINGS**

The plaintiffs respectfully move to lift the stay of proceedings.

On January 10, 2019, the defendants moved to stay the proceedings because funding to the Department of Justice had expired. *See* ECF No. 15. The plaintiffs did not oppose this request. On January 16, 2019, this Court stayed the proceedings and ordered the defendants to notify the Court when appropriations had been restored. *See* ECF No. 16.

On January 28, 2019, the defendants informed this Court that appropriations had been restored. *See* ECF No. 17. The Court, however, has not yet lifted the stay of proceedings. The plaintiffs respectfully ask the Court to lift the stay because they intend to file an amended complaint, a motion for class certification, and a motion for preliminary injunction later today. The defendants are unopposed to this request.

Respectfully submitted.

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Dated: February 5, 2019

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*Counsel for Plaintiffs and  
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**CERTIFICATE OF CONFERENCE**

I certify that I conferred with Daniel Riess, counsel for the defendants, and the defendants are unopposed to this motion.

/s/ Jonathan F. Mitchell  
JONATHAN F. MITCHELL  
*Counsel for Plaintiffs and  
the Proposed Classes*

**CERTIFICATE OF SERVICE**

I certify that on February 5, 2019, I served this document through CM/ECF upon:

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UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
FORT WORTH DIVISION

**Richard W. DeOtte, et al.,**

Plaintiffs,

v.

Case No. 4:18-cv-825-O

**Alex M. Azar II, et al.,**

Defendants.

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**[PROPOSED] ORDER GRANTING  
MOTION TO LIFT STAY OF PROCEEDINGS**

The plaintiffs' unopposed motion to lift the stay of proceedings is granted.

Dated: \_\_\_\_\_, 2019

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REED O'CONNOR  
UNITED STATES DISTRICT JUDGE