

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

## TEXAS, KANSAS, LOUISIANA, INDIANA, and NEBRASKA,

*Plaintiffs,*

V.

UNITED STATES OF AMERICA,  
UNITED STATES INTERNAL  
REVENUE SERVICE, and  
CHARLES P. RETTIG, in his official  
capacity as COMMISSIONER OF  
INTERNAL REVENUE,

### *Defendants.*

Civil Action No. 4:18-cv-00779-O

## JOINT STATUS REPORT

Plaintiffs and Defendants (collectively, the “parties”), by and through their respective counsel, and pursuant to the Court’s order, ECF No. 26, hereby submit the following joint status report:

1. On December 6, 2018, this Court issued an order staying this case pending final resolution of a related matter pending before the Court, *Texas, et al. v. United States, et al.*, No. 7:15-CV-00151-O (N.D. Tex.) (“*Texas I*”). See ECF No. 26. Pursuant to the Court’s order, *see id.*, on May 20, 2019, the parties submitted a Joint Status Report advising the court of the expected resolution of *Texas I* in June 2019 or shortly thereafter and recommending that, “in light of the expected entry of final judgment in *Texas I* in June 2019 or soon thereafter following a bench trial or briefing, the Court ought to maintain the stay in this case.” *See* ECF No. 31. In the May 20, 2019 Joint Status Report, the parties further requested that the Court maintain the stay and proposed that they would “file a joint status report on or before August 19, 2019, as to whether this case should remain stayed.” *Id.*

2. On July 30, 2019, the Court issued a Final Judgment in *Texas I*, and entered an order staying the Final Judgment pending resolution of the parties' briefing on whether the final judgment in the case should be stayed. *See Texas I*, ECF Nos. 156 & 157. Defendants filed their Motion to Stay Execution of the Judgment on August 12, 2019, and briefing on that motion is expected to be completed on or before September 17, 2019. *See Texas I*, ECF Nos. 155 & 158.

3. Once the Court has ruled on Defendants' Motion to Stay Execution of the Judgment in *Texas I*, the parties expect to proceed with appeals in that case.

4. The parties respectfully submit that, in light of the expected commencement of proceedings on the parties' appeals in *Texas I* in September 2019 or soon thereafter, the Court ought to maintain the stay in this case.

5. Accordingly, the parties respectfully request that the Court maintain the stay in this case and order them to file a joint status report on or before November 18, 2019, as to whether this case should remain stayed.

6. Counsel for Plaintiffs authorized Defendants to state that Defendants are filing this status report on behalf of all parties.

Respectfully submitted this the 19th day of August, 2019.

*For the Plaintiffs:*

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**CERTIFICATE OF SERVICE**

I hereby certify that on August 19, 2019, I electronically filed the foregoing document through the Court's ECF system, and will serve a copy of this document with the summons and complaint.

*/s/ Julie Straus Harris*  
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JULIE STRAUS HARRIS