IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF WISCONSIN GREEN BAY DIVISION

ADAM P. FAUST, et al.,	
Plaintiffs,)
V.) Civil Action No. 21-cv-548-WCG
THOMAS J. VILSACK, in his official capacity as Secretary of Agriculture, <i>et al.</i> ,)))
Defendants.))
) _)

DEFENDANTS' MOTION FOR AN ADMINISTRATIVE STAY PENDING RESLUTION OF DEFENDANTS' STAY MOTION

Concurrent with this motion, Defendants filed a motion to stay proceedings in this case. ECF No. 51. Pending resolution of that motion, Defendants also respectfully request that the Court enter an administrative stay to stay the parties' upcoming deadlines pending resolution of Defendants' stay motion, including the parties' current deadline of July 14, 2021, to submit a proposed schedule to the Court and the scheduling conference currently set for July 20, 2021. Counsel for Defendants conferred with counsel for Plaintiffs, who indicated that they oppose this motion.

On July 6, 2021, the Court entered an order staying Plaintiffs' motion for a preliminary injunction. ECF No. 49. Therein, the Court ordered the parties to confer regarding further scheduling and to submit a proposed expedited schedule to resolve the merits of this action on or before July 14, 2021. As reflected in Defendants' motion to stay proceedings in this case, Defendants believe that in light of a class certified in the U.S. District Court for the Northern District of Texas to challenge Section 1005 of the American Rescue Plan Act ("ARPA") that would

encompass and bind Plaintiffs here, proceedings in this case should be stayed altogether. Pending the Court's decision on Defendants' larger stay motion, Defendants also respectfully request that the Court enter a brief administrative stay pending resolution of Defendants' stay motion and vacate the current deadline to submit a proposed schedule on July 14, 2021, as well as the scheduling conference currently scheduled for July 20, 2021.

Dated: June 12, 2021 Respectfully submitted,

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/s/ Emily Newton

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