

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION**

GEORGIA COLLEGE OF EMERGENCY )  
PHYSICIANS, *et al.*, )

Plaintiffs,

V.

No. 1:21-cv-05267-MHC

U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES, *et al.*,

Defendants.

## JOINT MOTION TO STAY CASE

The parties respectfully request that the Court stay this case for sixty (60) days. The reasons for this request are as follows:

1. In this case, Plaintiffs challenge portions of an interim final rule that implements aspects of the No Surprises Act. *See* Requirements Related to Surprise Billing; Part II, 86 Fed. Reg. 55,980 (Oct. 7, 2021).

2. There are similar challenges to the interim final rule pending in several other districts, including the Eastern District of Texas.

3. On February 23, 2022, the U.S. District Court for the Eastern District of Texas issued a judgment that vacated portions of the same interim final rule that

Plaintiffs challenge in this Court, and remanded to the Departments. *Tex. Med. Ass'n et al. v. Dept. of Health and Human Servs. et al.*, No. 6:21-CV-425-JDK, 2022 WL 542879, at \*15 (E.D. Tex. Feb. 23, 2022).

4. In light of the vacatur of the interim final rule, the parties agree that proceeding with the current briefing schedule would serve little purpose and that it would best serve the interests of efficiency and economy to stay this case for sixty days.

5. This Court has the inherent power to grant the request for a stay of proceedings. *See, e.g., Four Seasons Hotels & Resorts, B.V. v. Consorcio Barr S.A.*, 377 F.3d 1164, 1172 n.7 (11th Cir. 2004) (“[A] district court . . . retains the inherent authority to issue a stay for the purposes of managing its own docket.”); *see also Life Ins. Co. of N. Am. v. Williams*, No. 1:15-cv-62, 2015 WL 10961833, at \*3 (N.D. Ga. May 22, 2015) (“District courts enjoy the authority to control the disposition of the causes on its docket with economy of time and effort for itself, for counsel, and for the litigants.”).

6. Before filing this motion, undersigned counsel conferred with counsel for Plaintiffs about this request, who reported that Plaintiffs join in this motion.

7. Accordingly, the parties respectfully request that the Court stay this case, along with any and all associated deadlines, for sixty (60) days.

8. A proposed order reflecting this proposal is attached.

Dated: March 1, 2022

Respectfully submitted,

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