

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
AMARILLO DIVISION

STATE OF TEXAS, *et al.*,

Plaintiffs,

v.

JANET YELLEN, in her official capacity
as Secretary of the Treasury, *et al.*,

Defendants.

Civil Action No. 2:21-cv-0079-Z

DEFENDANTS' UNOPPOSED MOTION TO STAY ANSWER DEADLINE

Defendants submit this motion to stay their deadline to file their responsive pleading until after resolution of the pending motions for summary judgment.

On July 7, 2021, Defendants filed a Motion to Dismiss under Federal Rule of Civil Procedure 12. ECF No. 19. The parties then jointly moved for entry of a scheduling order, including cross-motions for summary judgment, and noted that “[t]he parties . . . agree that this case presents issues that are purely legal, which are amenable to resolution without the need for discovery.” ECF No. 21, at 1. On September 27, 2021, Plaintiffs filed their Partial Motion for Summary Judgment. ECF No. 27. On October 25, 2021, Defendants filed their Motion for Summary Judgment. ECF No. 44. The parties have completed briefing on both motions for summary judgment.

On March 4, 2022, the Court issued an Order denying Defendants’ Motion to Dismiss. ECF No. 50. Under Federal Rule of Civil Procedure 12(a)(4), Defendants’ answer is now due on March 18, 2022. Because the issues in this case are primarily legal in nature,

a decision from the Court on the pending motions for summary judgment may resolve many or all of the substantive issues raised in the Complaint. Therefore, to avoid duplicative briefing and to conserve judicial resources, Defendants request that their deadline to file an answer be stayed until the Court resolves the pending motions for summary judgment.

Defendants have conferred on this Motion with counsel for Plaintiffs, and Plaintiffs do not oppose.

DATED: March 8, 2022

Respectfully submitted,

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/s/ Michael P. Clendenen
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Certificate of Service

On March 8, 2022, I electronically submitted the foregoing document with the clerk of court for the U.S. District Court, Northern District of Texas, using the electronic case filing system of the court. I hereby certify that I have served all parties electronically or by another manner authorized by Federal Rule of Civil Procedure 5(b)(2).

/s/ Michael P. Clendenen

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
AMARILLO DIVISION**


STATE OF TEXAS, STATE OF MISSISSIPPI,
STATE OF LOUISIANA,

Plaintiffs,

V.

JANET YELLEN, in her official capacity as
Secretary of the Treasury, *et al.*,

Defendants.



Case No. 2:21-cv-00079-Z

**[PROPOSED] ORDER GRANTING DEFENDANTS' UNOPPOSED MOTION TO STAY
ANSWER DEADLINE**

Before the Court is Defendants' Unopposed Motion to Stay Answer Deadline. After due consideration of the Motion, and the applicable law, the Court finds the Motion to be meritorious.

It is therefore ORDERED that the Motion to Stay Answer Deadline is GRANTED. It is hereby ORDERED that Defendants' deadline to file an answer is stayed.

SO ORDERED.

_____, 2022

MATTHEW J. KACSMARYK
UNITED STATES DISTRICT JUDGE