

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

LIFENET, INC.,

Plaintiff,

v.

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

Defendants.

No. 6:22-cv-00162-JDK

**STIPULATION TO WAIVE DEFENDANTS' OBLIGATION
TO RESPOND TO THE COMPLAINT**

The parties respectfully stipulate to waive the Defendants' obligation to answer or otherwise respond to the complaint in this action. An answer to the complaint, or a motion in response to the complaint, would be due to be filed on or before July 5, 2022. The parties agree that no answer or responsive motion is necessary in this Administrative Procedure Act matter, since all of the relevant issues have been briefed and joined in the motions that have already been filed with the Court.

There are two sets of fully-briefed motions pending as of June 14, 2022:

1. The Plaintiff's motion for summary judgment, and the Defendants' cross-motion for summary judgment or, in the alternative, for jurisdictional discovery. *See* ECF No. 27, ECF No. 31, ECF No. 32, ECF No. 36; and
2. The Defendant's motion to transfer. *See* ECF No. 22, ECF No. 26, ECF No. 28.

WHEREFORE, the parties respectfully stipulate to waive the Defendants' obligation to answer or otherwise respond to the complaint in this action, and request that the Court enter the attached proposed order.

Dated: July 1, 2022

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify on this 1st day of July, 2022, a true and correct copy of this document was served electronically by the Court's CM/ECF system to all counsel of record.

/s/ Joel McElvain
JOEL McELVAIN

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[PROPOSED] ORDER

Before the Court is the Stipulation to Waive the Defendants' Obligation to Respond to the Complaint. Having fully considered the stipulation, and finding good cause therefor, it is hereby ORDERED that the Defendants are not obligated to file an answer to the Complaint.

IT IS SO ORDERED.