

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF TEXAS  
LUBBOCK DIVISION

STATE OF TEXAS, et al.,

Plaintiffs,

v.

XAVIER BECERRA, in his official capacity  
as Secretary of Health and Human Services,  
et al.,

Defendants.

No. 5:22-CV-185-H

**ORDER**


Pursuant to the Court's order (Dkt. No. 24), the plaintiffs have notified the defendants of their Motion for Temporary Restraining Order and Preliminary Injunction (Dkt. No. 22) and have filed an Advisory confirming the same. Dkt. No. 29. Since the Court's order, the defendants have appeared through counsel (Dkt. Nos. 26–27), and summons have returned executed for all the defendants (Dkt. Nos. 6–17; 21; 28).

The parties' Joint Status Report indicates that the parties disagree regarding a proposed briefing schedule and a hearing on the motion. *See* Dkt. No. 30. The plaintiffs allege that they face imminent and irreparable harm and request an expedited briefing schedule. *Id.* at 2. On the other hand, the defendants challenge that assertion and request a regular briefing schedule in accordance with the local rules. *Id.* at 2–4.

The Court recognizes the plaintiffs' allegations of imminent and irreparable injury, and it is also mindful of the defendants' need for additional time to respond to the plaintiffs' motion. Considering these conflicting interests, the Court sets the following schedule on the motion: The defendants shall file a responsive brief on or before August 15, 2022. The plaintiffs may file a reply brief on or before August 17, 2022. The Court will hear any

evidence or argument the parties wish to present on August 18, 2022, at 1:00 p.m. CST in the United States District Court, Courtroom C-216, 1205 Texas Avenue, Lubbock, Texas 79401.

So ordered on August 10, 2022.

  
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JAMES WESLEY HENDRIX  
UNITED STATES DISTRICT JUDGE