

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF FLORIDA  
JACKSONVILLE DIVISION**

Case No.: 3:21-cv-771-MMH-PDB

W.B., by and through his father and legal guardian, DAVID B., and A.W., by and through her mother and legal guardian, Brittany C., on behalf of themselves and all other similarly situated,

Plaintiffs,

v.

JASON WEIDA, in his official capacity as Secretary for the FLORIDA AGENCY FOR HEALTH CARE ADMINISTRATION,

Defendant.

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**JOINT REPORT REGARDING STATUS OF MEDIATION**

Plaintiffs and Defendant, by and through undersigned counsel, pursuant to this Court's April 4, 2023, Order (Doc. 81) requiring that the parties advise the Court as to the status of mediation on or before April 11, 2023, submit the following:

On January 19, 2023, the parties submitted a Joint Motion to Stay Proceedings (Doc. 76), in which the parties requested that this case be stayed for 90 days while the Florida Agency for Health Care Administration ("AHCA") engaged in rulemaking regarding a rule closely related to this matter and the parties engaged

in mediation. On January 20, 2023, the Court granted the motion, staying the case until April 20, 2023 (Doc. 77).

The parties participated in a full-day mediation session on March 20, 2023, which did not result in a settlement nor did the parties impasse. Instead, at the conclusion of the March 20, 2023, mediation session, the parties agreed to a second mediation session, which is scheduled for April 13, 2023.

The parties believe that, following the April 13, 2023, mediation session they will have a better sense of whether or not an additional stay would be appropriate to facilitate further settlement negotiations. Accordingly, following the mediation, and in accordance with this Court's order granting the stay, the parties intend to file a joint notice advising the Court of how they intend to proceed on or before April 20, 2023.

In the interim, AHCA has paused rulemaking proceedings relating to the rule at issue so that rule development will not impact settlement negotiations.

Respectfully submitted this 6th day of April, 2023.

/s/ Katherine DeBriere

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**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the foregoing was served via CM/ECF on April 6, 2023 on all counsel of record.

/s/ Erik M. Figlio

Erik M. Figlio