

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

ANDREA YOUNG, et al.,)	
)	
Plaintiffs,)	
)	No. 1:19-cv-03526-JEB
v.)	
)	
XAVIER BECERRA, ¹ et al.,)	
)	
Defendants.)	

JOINT MOTION TO CONTINUE STAY

Plaintiffs Andrea Young *et al.*, Federal Defendants Xavier Becerra *et al.*, and Intervenor the Michigan Department of Health and Human Services request that this Court continue the stay in this case to July 15, 2023 and order the parties to submit a joint status report by June 30, 2023. In support of this request, they state as follows:

1. On November 22, 2019, Plaintiffs filed the Complaint in this case, challenging the Federal Defendants' approval of Michigan's request to extend the Healthy Michigan Plan section 1115 Medicaid waiver project (ECF No. 1).
2. On February 20, 2020, the Court granted Michigan Department of Health and Human Services' Motion to Intervene (Minute Order of Feb. 20, 2020).
3. On April 2, 2020, the Court granted Michigan Department of Health and Human Services' unopposed Motion to Stay this case (ECF 28). The Court further ordered that the case be stayed "until the earlier of (1) the end of the COVID-19 public health emergency declared by Defendant Azar under Section 319 of the Public Health

¹ In accordance with Federal Rule of Civil Procedure 25(d), Xavier Becerra is substituted for his predecessor in his official capacity as Secretary of Health and Human Services.

Services Act; or (2) 45 days before the date when Michigan begins to implement the premiums that are conditions of continued Medicaid eligibility or the healthy behavior requirements that are conditions of continued Medicaid eligibility” (Minute Order of April 2, 2020).

4. On February 9, 2023, the Secretary of Health and Human Services announced that the agency was planning for the COVID-19 public health emergency to end on May 11, 2023. Letter to U.S. Governors from HHS Secretary Xavier Becerra on Renewing COVID-19 Public Health Emergency (PHE) (Feb. 9, 2023)

<https://www.hhs.gov/about/news/2023/02/09/letter-us-governors-hhs-secretary-xavier-becerra-renewing-covid-19-public-health-emergency.html> (last accessed May

12, 2023). On May 10, 2023, the Secretary shared additional information and resources with state governors to assist them in the transition away from the public health emergency. Letter to U.S. Governors from HHS Secretary Xavier Becerra on Planning for the COVID-19 PHE (May 10, 2023),

<https://www.hhs.gov/about/news/2023/05/10/letter-us-governors-hhs-secretary-xavier-becerra-planning-covid-19-phe.html> (last accessed May 12, 2023).

WHEREFORE, the parties request that the Court modify the stay order to continue the stay until July 15, 2023 and require the parties to submit a joint status report on June 30, 2023 to address next steps in this case.

May 12, 2023

Respectfully submitted,

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[PROPOSED] ORDER

The Court's April 2, 2020 Order granting the Michigan Department of Health and Human Services' unopposed Motion to Stay this case (ECF No. 28) is continued to July 15, 2023. The parties are ordered to submit a joint status report by June 30, 2023 to address next steps in the case.

Judge James E. Boasberg