

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

STATE OF FLORIDA and FLORIDA  
AGENCY FOR HEALTH CARE  
ADMINISTRATION,

Plaintiffs,

v.

CENTERS FOR MEDICARE AND  
MEDICAID SERVICES, et al.,

Defendants.

No. 8:24-cv-317-WFJ-AAS

**JOINT MOTION TO ESTABLISH BRIEFING SCHEDULE**

On February 1, 2024, Plaintiffs State of Florida and Florida Agency for Health Care Administration filed a complaint and motion for preliminary injunction against Defendants Centers for Medicare & Medicaid Services, *et al.* See ECF Nos. 1, 2. Having conferred in an effort to facilitate the efficient resolution of this matter, *see* Fed. R. Civ. P. 1, the parties jointly request that the Court enter the following briefing schedule with respect to Plaintiffs' motion for preliminary injunction:

Defendants' opposition: February 20, 2024

Plaintiffs' reply: March 5, 2024

Good cause supports this request. Plaintiffs challenge an October 2023 "Frequently Asked Questions" document that addresses whether states may terminate Children's Health Insurance Program coverage during a continuous eligibility period due to nonpayment of premiums, which they allege was issued in violation of the Administrative Procedure Act. See ECF No. 1 at ¶¶ 16, 27 & Ex. 4. Plaintiffs' motion

for preliminary injunction, which raises several claims for relief and includes nearly 350 pages of exhibits, presents complex issues that would benefit from thorough briefing. *See Landis v. N. Am. Co.*, 299 U.S. 248, 254 (1936) (a district court possesses inherent authority to “control the disposition of the causes on its docket with economy of time and effort for itself, for counsel, and for litigants”). And the parties’ proposed schedule would not affect any other previously set deadlines. The parties therefore respectfully request that the Court enter their proposed briefing schedule.

DATED: February 8, 2024

Respectfully submitted,

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/s/ Madeline McMahan

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**LOCAL RULE 3.01(g) CERTIFICATION**

I hereby certify that I have conferred with counsel for Plaintiffs, who agree to the relief requested herein.

/s/ Madeline McMahon  
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U.S. Department of Justice