

UNITED STATES DISTRICT COURT
DISTRICT OF THE DISTRICT OF COLUMBIA

MONTE A. ROSE, JR., <i>et al.</i> ,)	
)	
Plaintiffs,)	
)	
v.)	
)	No. 1:19-cv-02848-JEB
XAVIER BECERRA, <i>et al.</i> ,)	
)	
Defendants.)	

**MOTION OF INTERVENOR-DEFENDANT INDIANA FAMILY AND
SOCIAL SERVICES ADMINISTRATION FOR ADMINISTRATIVE STAY
AND STAY PENDING APPEAL**

Pursuant to Federal Rule of Appellate Procedure 8(a)(1), Intervenor-Defendant Indiana Family and Social Services Administration (FSSA) respectfully requests a stay pending appeal of the Court's entry of final judgment on Count I of the Supplemental Complaint, Dkt. 67; Dkt. 71, and order vacating and remanding the Secretary's 2020 approval of the Healthy Indiana Plan 2.0, Dkt. 67, for the reasons in the accompanying memorandum. FSSA also requests that the Court stay its judgment and order pending resolution of FSSA's request for a stay pending appeal, or in the event that request is denied, until the D.C. Circuit can consider a request for a stay.

To facilitate orderly consideration of this motion, FSSA asks that the Court address its request for an administrative stay forthwith and set an expedited briefing schedule on its motion for a stay pending appeal.

Respectfully submitted,

THEODORE E. ROKITA
Indiana Attorney General

By: /s/ James A. Barta
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Counsel for Intervenor-Defendant
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CERTIFICATE OF SERVICE

I hereby certify that on July 12, 2024, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which shall send notification of such filing to any CM/ECF participants.

/s/ James A. Barta
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No. 1:19-cv-02848-JEB

[PROPOSED] ORDER GRANTING MOTION FOR STAY PENDING APPEAL

On consideration of the papers, the Court GRANTS Intervenor-Defendant Indiana Family and Social Services Administration's motion for a stay pending appeal.

IT IS THEREFORE ORDERED that the Order vacating and remanding the Secretary's 2020 approval of the Healthy Indiana Plan 2.0 and judgment on Count I of the Supplemental Complaint, Dkt. 67; Dkt. 71, is STAYED pending resolution of FSSA's appeal, issuance of the mandate, and disposition of any timely filed petition for certiorari.

DATED: _____

HON. JAMES E. BOASBERG

UNITED STATES DISTRICT COURT
DISTRICT OF THE DISTRICT OF COLUMBIA

MONTE A. ROSE, JR., *et al.*,

Plaintiffs,

v.

XAVIER BECERRA, *et al.*,

Defendants.

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No. 1:19-cv-02848-JEB

[PROPOSED] ORDER GRANTING MOTION FOR ADMINSTRATIVE STAY

On consideration of the papers, the Court GRANTS Intervenor-Defendant Indiana Family and Social Services Administration's motion for an administrative stay.

IT IS THEREFORE ORDERED that the Order vacating and remanding the Secretary's 2020 approval of the Healthy Indiana Plan 2.0 and judgment on Count I of the Supplemental Complaint, Dkt. 67; Dkt. 71, is stayed pending further order of the Court.

DATED: _____

HON. JAMES E. BOASBERG