

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA
WESTERN DIVISION

<p>The State of KANSAS, <i>et al.</i>,</p> <p>Plaintiffs,</p> <p>v.</p> <p>UNITED STATES of AMERICA and the CENTERS FOR MEDICARE & MEDICAID SERVICES,</p> <p>Defendants.</p>	<p>Civil Action No. 1:24-cv-00150-DMT-CRH</p>
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JOINT NOTICE OF AVAILABILITY AND MOTION FOR ORAL ARGUMENT

The parties provide this notice of their availability and respectfully move the Court to schedule oral argument on one of the dates set forth below to the extent the Court believes oral argument would be helpful. In support, the parties state as follows:

1. Plaintiffs filed this suit on August 8, 2024, challenging the Centers for Medicare and Medicaid Services' final rule regarding the eligibility of Deferred Action for Childhood Arrivals (DACA) recipients for a Qualified Health Plan through an Affordable Care Act exchange and various subsidies. *See* ECF No. 1; 89 Fed. Reg. 39392 (May 8, 2024). That rule becomes effective November 1, 2024. 89 Fed. Reg. at 39392.

2. On August 28, Plaintiffs amended their complaint. ECF No. 27. On August 30, Plaintiffs moved for a stay of the final rule and preliminary injunction. ECF No. 35.

3. On September 6, the parties submitted a motion proposing a briefing schedule and page extensions. Under the proposed schedule, Defendants' opposition brief would be due September 25; Plaintiffs' reply would be due October 9.

4. Now the parties have conferred and agreed that they are available for oral argument on the Plaintiff's motion for a stay and preliminary injunction on the following dates:

Tuesday, October 15, 2024;

Thursday, October 17, 2024;

Friday, October 18, 2024.

Respectfully submitted,

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Attorney General of Kansas

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