

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
LUBBOCK DIVISION**

STATE OF TEXAS, et al.,

Plaintiffs,

v.

XAVIER BECERRA, in his official
capacity as Secretary of Health & Human
Services, et al.,

Defendants.

No. 5:24-cv-225

UNOPPOSED MOTION FOR STAY OF ALL DEADLINES

Defendants respectfully notify the Court that on January 20, 2025, the President of the United States issued an Executive Order titled “Defending Women From Gender Ideology Extremism And Restoring Biological Truth To The Federal Government,” which reflects the position of the United States and provides that agencies shall not “promote or otherwise inculcate gender ideology.” In light of that executive order, Defendants require additional time to evaluate their position in this case and determine how best to proceed.

Accordingly, Defendants respectfully request that the Court stay the current briefing schedule, including: Plaintiffs' Cross-Motion for Summary Judgment due by 01/29/2025; Defendants' Combined Cross-Motion for Summary Judgment and Opposition to Plaintiffs' Motion for Summary Judgment due by 02/26/2025; Plaintiffs' Combined Opposition to Defendants' Cross-Motion for Summary Judgment and Reply to Defendants' Opposition due by 03/26/2025; and Defendants' Reply to Plaintiffs' Opposition due by 04/23/2025.

Defendants propose to meet and confer with Plaintiffs about how to proceed in this case and intend to file a Joint Status Report (“JSR”) with the Court within 30 days of the Court’s ruling on this Motion. The JSR will address how the parties wish to proceed in light of the recent executive order.

Defendants have conferred with Plaintiffs’ counsel and Plaintiffs are unopposed.

A proposed Order is attached.

Dated: January 24, 2025

Respectfully submitted,

BRETT A. SHUMATE
Acting Assistant Attorney General
Civil Division

EMILY B. NESTLER
Assistant Branch Director

/s/ Jason K. Altabet
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Counsel for Defendants

CERTIFICATE OF CONFERENCE

I hereby certify that on January 23, 2025 Jason Altabet conferred with Plaintiffs' counsel via email and over the phone and that on January 24, 2025, Zachary Rhines stated via email that Plaintiffs do not oppose the motion.

/s/ Jason K. Altabet
Jason K. Altabet

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No. 5:24-cv-225-H

ORDER GRANTING STAY OF ALL DEADLINES

Before the Court is Defendants' Unopposed Motion For Stay of All Deadlines (ECF No. 43). After due consideration of Defendants' Motion and applicable law, the Court finds that the motion should be and hereby is **GRANTED** and **ORDERS** as follows:

The current briefing schedule is hereby **STAYED** pending further order of the Court.

The parties shall meet and confer within 30 days and file a Joint Status Report to update the Court on how the parties plan to proceed in this case

SO ORDERED

Date: _____

James W. Hendrix
United States District Court Judge