

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

RONNIE MAURICE STEWART, et al.,)	
)	
Plaintiffs,)	
)	
v.)	Civil Action No. 1:18-cv-152 (JEB)
)	
ALEX M. AZAR II, et al.,)	
)	
Defendants.)	
_____)	

PLAINTIFFS’ CONSENT MOTION TO RESCHEDULE ARGUMENT

Oral argument in this case is currently set for June 13, 2018. Plaintiffs respectfully request that this Court enter an order rescheduling argument for June 15, 2018 or (failing that) for June 14, 2018. Counsel for the Federal Defendants and counsel for Kentucky have consented to this request. In support of this motion, Plaintiffs state as follows:

1. On April 17, 2018, this Court set oral argument in this case for June 13, 2018.
2. Ian Gershengorn, Counsel for National Health Law Program, will be arguing before this Court on behalf of Plaintiffs.
3. Mr. Gershengorn is also counsel of record in the case of Charter Advanced Services v. Lange, No. 17-2290, currently pending in the U.S. Court of Appeals for the Eighth Circuit. On April 23, 2018, Mr. Gershengorn filed a letter with the Eighth Circuit indicating that he now had a conflict during the week of June 11-15. See Attachment A (conflicts letter). That letter was sent before any panel or argument date had been announced.
4. On May 11, 2018, the Eighth Circuit set argument in the Charter case for June 12, 2018, in St. Paul, Minnesota. On May 15, 2018, Mr. Gershengorn moved to have the oral argument

postponed until the next available sitting. See Attachment B (motion to postpone argument). Appellants opposed that motion, and on May 17, 2018, the motion was denied. As a result, Mr. Gershengorn currently is scheduled to argue on June 12, 2018 in St. Paul, Minnesota, and on June 13, 2018 before this Court.

5. In light of that schedule, counsel for Plaintiffs respectfully asks this Court to reschedule oral argument until June 15, 2018 or, in the alternative, until June 14, 2018. Counsel for Plaintiffs is well aware of the compressed schedule that the Court and the parties are working under in order to permit the Court sufficient time to decide this case in a timely manner, and counsel apologizes for asking to reschedule at this point. Nonetheless, Counsel respectfully submits that a delay of two days will permit a more considered presentation of the issues to the Court, while minimizing the intrusion upon the Court's time.

6. Plaintiffs' counsel conferred with the Federal Defendants and Kentucky on May 21, 2018. Both the Federal Defendants (per Joel McElvain) and Kentucky (per Matt Kuhn) have consented to this request.

WHEREFORE, Plaintiffs respectfully request that this Court enter an order rescheduling oral argument to June 15, 2018 or, in the alternative, to June 14, 2018.

Dated: May 21, 2018

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Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on May 21, 2018, I electronically filed the foregoing with the Clerk of Court by using the CM/ECF system, which will send electronic notices to all parties.

By: /s/ Jane Perkins
JANE PERKINS