

**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.)	
_____)	

JOINT MOTION REGARDING PROPOSED BRIEFING SCHEDULE

Plaintiffs in this action, a putative class of Kentucky Medicaid beneficiaries, assert claims under the APA, 5 U.S.C. § 706(2), and Take Care Clause of the U.S. Constitution, Art. II, § 3, cl. 5, seeking declaratory and injunctive relief pertaining to actions taken by federal government officials pursuant to Section 1115 of the Social Security Act, 42 U.S.C. § 1315. Plaintiffs challenge (1) the Secretary of Health and Human Services’ issuance of a guidance document concerning states’ imposition of work requirements on Medicaid recipients and; (2) the Secretary’s decision to waive certain requirements of the Medicaid program and approve the Commonwealth of Kentucky’s demonstration project known as “Kentucky HEALTH,” certain components of which the Commonwealth plans to begin implementing on July 1, 2018.

The Government has filed a motion to transfer this case to the Eastern District of Kentucky. ECF No. 6. Plaintiffs opposed the Government’s motion to transfer, ECF No. 15, and the Government replied, ECF No. 25. Although the Government continues to maintain that this action should be properly brought in the Eastern District of Kentucky, the Government has acceded to Plaintiffs’ request to expedite the certification of the administrative record, and it delivered the administrative record to plaintiffs on March 6, 2018. Without prejudice to the pending motion to

transfer, the Government agrees to the following schedule so as to facilitate Plaintiffs' asserted need for resolution of the issues in advance of July 1, 2018. The Government continues to maintain that this case should be transferred to the Eastern District of Kentucky, where a similar briefing schedule could be entered so as to permit the transferee court to resolve the dispute prior to July 1, 2018.

The parties have conferred and respectfully move this Court to enter the following briefing schedule, which would allow for the parties' motions on the merits of this case to be ripe for decision well in advance of July 1, 2018:

- March 30:** Plaintiffs' Motion for Preliminary Injunction and/or Motion for Summary Judgment
- April 25:** Government's Opposition to Plaintiffs' Motion(s) and Government's Motion to Dismiss and/or Motion for Summary Judgment
- May 14:** Plaintiffs' Opposition to Government's Motion(s) and Plaintiffs' Reply in Support of Their Motion(s)
- May 24:** Government's Reply in Support of its Motion(s)

The parties agree to stay Defendants' obligation to Answer the Complaint until resolution of these motions.

The parties are discussing how to deal with class issues in this case and will follow up with the Court regarding when and how to deal with them in the most efficient manner.

Dated: March 8, 2018

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CERTIFICATE OF SERVICE

I hereby certify that March 8, 2018, I electronically filed the foregoing with the Clerk of Court by using the CM/ECF system, which will send an electronic notice to the authorized CM/ECF filer listed below:

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**[PROPOSED] ORDER GRANTING JOINT MOTION
REGARDING PROPOSED BRIEFING SCHEDULE**

This matter is before the Court on the Parties joint stipulation regarding a proposed briefing schedule. ECF No. 27. Having reviewed the joint motion, the Court hereby GRANTS the motion.

SO ORDERED this _____ day of _____, 2018.

HON. JAMES E. BOASBERG
UNITED STATES DISTRICT JUDGE