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DISTRICT OF MARYLAND
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UNITED STATES DISTRICT COURT
DISTRICT OF MARYLAND

Chambers of
Ellen Lipton Hollander
District Court Judge

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BY _____ DEPUTY

January 2, 2019

LETTER TO COUNSEL

Re: *State of Maryland v. United States of America, et al.*
Civil No.: ELH-18-2849

Dear Counsel:

As I am sure you know, on December 31, 2018, in *Texas v. United States*, No. 4:18-cv-00167-O, Judge O'Connor stayed his decision of December 14, 2018, declaring unconstitutional the Patient Protection and Affordable Care Act, Pub. L. No. 111-148, 124 Stat. 119 (Mar. 23, 2010), as amended by the Health Care and Education Reconciliation Act of 2010, Pub. L. No. 111-152, 124 Stat. 1029 (Mar. 30, 2010). *See* ___ F. Supp. 3d ___, 2018 WL 6589412 (N.D. Tex. Dec. 14, 2018). In view of the recent ruling, I invite counsel to address the impact of the stay on the question of the State's standing to bring suit in the underlying case. Each side may submit a memorandum, not to exceed ten pages, due no later than the close of business on January 9, 2019.

In making this request, I am aware of the partial government shutdown. However, unlike in some civil cases assigned to me involving the government, I have not received a request from the government to stay this case in light of the shutdown. Therefore, I am assuming that government counsel is in a position to file the requested submission. If my assumption is incorrect, I ask government counsel to advise me promptly.

Despite the informal nature of this letter, it is an Order of the Court and shall be docketed as such.

Sincerely,

/s/
Ellen Lipton Hollander
United States District Judge