

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

SAMUEL PHILBRICK, et al.,)	
)	
Plaintiffs,)	
)	
v.)	Civil Action No. 1:19-cv-00773 (JEB)
)	
ALEX M. AZAR II, et al.,)	
)	
Defendants.)	
)	

**UNOPPOSED MOTION OF THE AMERICAN ACADEMY OF PEDIATRICS AND THE
AMERICAN MEDICAL ASSOCIATION TO FILE AMICUS CURIAE BRIEF IN
SUPPORT OF PLAINTIFFS**

The American Academy of Pediatrics (AAP) and the American Medical Association (AMA) respectfully request leave to file the attached brief as *amicus curiae* in support of Plaintiffs.

In general, district courts have “broad discretion to permit . . . participation in this suit as an *amicus curiae*.” *National Ass’n of Home Builders v. United States Army Corps of Eng’rs*, 519 F. Supp. 2d 89, 93 (D.D.C. 2007). This Court permits *amicus* briefs where the brief provides “timely and useful” information for the Court. *Ellsworth Assocs., Inc. v. United States*, 917 F. Supp. 841, 846 (D.D.C. 1996) (internal quotation marks omitted).

AAP and AMA are organizations with health care expertise who have provided *amicus* assistance to this Court in *Stewart v. Azar*, No. 1:18-cv-152, on this general subject. Their brief aids this Court by “assisting in a case of general public interest, supplementing the assisting in a case of general public interest, supplementing the efforts of counsel, and drawing the court’s attention to law that might otherwise escape consideration.” *Funbus Sys., Inc. v. California Pub.*

Utils. Comm'n, 801 F.2d 1120, 1125 (9th Cir. 1986) (citing *Miller-Wohl Co. v. Commissioner of Labor & Indus.*, 694 F.2d 203, 204 (9th Cir. 1982)).

Defendants' brief is due on June 6, 2019, nine days from today. *See* Minute Order (April 16, 2019). The amicus brief therefore "does not unduly delay the Court's ability to rule on any pending matter." Local Civ. R. 7(o)(2).

On Wednesday, May 22, counsel consulted with the parties, none of whom oppose the filing of this amicus brief.

For the foregoing reasons, the motion for leave to file the brief should be granted.

Dated: May 28, 2019

Respectfully submitted,

/s/ Zenia Sanchez Fuentes

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