

***United States Court of Appeals***

FIFTH CIRCUIT  
OFFICE OF THE CLERK

LYLE W. CAYCE  
CLERK

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NEW ORLEANS, LA 70130

February 14, 2019

MEMORANDUM TO COUNSEL OR PARTIES LISTED BELOW:

No. 19-10011 State of Texas, et al v. USA, et al  
USDC No. 4:18-CV-167

Enclosed is an order entered in this case.

Sincerely,

LYLE W. CAYCE, Clerk



By: \_\_\_\_\_  
Peter A. Conners, Deputy Clerk  
504-310-7685

Mr. Benjamin Battles  
Ms. Kathleen Boergers  
Mr. Andrew Bray Davis  
Ms. Bridget DiBattista  
Mr. Nimrod Elias  
Mr. Matthew Hamilton Frederick  
Mr. David J. Hacker  
Mr. Kyle Douglas Hawkins  
Mr. Darren Lee McCarty  
Mr. Matthew Robert McGuire  
Mr. Eric Olson  
Ms. Neli N. Palma  
Mr. Brett Shumate  
Mr. Samuel Siegel  
Mr. Jeffrey T. Sprung  
Mr. Martin Vincent Totaro  
Ms. Caroline Van Zile  
Mr. Donald B. Verrilli Jr.  
Mr. Stephen B. Vogel  
Mr. Eric A. White  
Ms. Jessica Willey

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 19-10011

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STATE OF TEXAS; STATE OF WISCONSIN; STATE OF ALABAMA;  
STATE OF ARIZONA; STATE OF FLORIDA; STATE OF GEORGIA; STATE  
OF INDIANA; STATE OF KANSAS; STATE OF LOUISIANA; PAUL  
LEPAGE, Governor of Maine; STATE OF MISSISSIPPI, by and through  
Governor Phil Bryant; STATE OF MISSOURI; STATE OF NEBRASKA;  
STATE OF NORTH DAKOTA; STATE OF SOUTH CAROLINA; STATE OF  
SOUTH DAKOTA; STATE OF TENNESSEE; STATE OF UTAH; STATE OF  
WEST VIRGINIA; STATE OF ARKANSAS; NEILL HURLEY; JOHN  
NANTZ,

Plaintiffs - Appellees

v.

UNITED STATES OF AMERICA; UNITED STATES DEPARTMENT OF  
HEALTH & HUMAN SERVICES; ALEX AZAR, II, SECRETARY, U.S.  
DEPARTMENT OF HEALTH AND HUMAN SERVICES; UNITED STATES  
DEPARTMENT OF INTERNAL REVENUE; CHARLES P. RETTIG, in his  
Official Capacity as Commissioner of Internal Revenue,

Defendants - Appellants

STATE OF CALIFORNIA; STATE OF CONNECTICUT; DISTRICT OF  
COLUMBIA; STATE OF DELAWARE; STATE OF HAWAII; STATE OF  
ILLINOIS; STATE OF KENTUCKY; STATE OF MASSACHUSETTS;  
STATE OF NEW JERSEY; STATE OF NEW YORK; STATE OF NORTH  
CAROLINA; STATE OF OREGON; STATE OF RHODE ISLAND; STATE OF  
VERMONT; STATE OF VIRGINIA; STATE OF WASHINGTON; STATE OF  
MINNESOTA,

Intervenor Defendants – Appellants

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Appeals from the United States District Court  
for the Northern District of Texas

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**O R D E R :**

IT IS ORDERED that the opposed motion of appellants' the State of California, et al to expedite the appeal is DENIED.

IT IS FURTHER ORDERED that the unopposed motion of the State of Colorado, State of Iowa, State of Michigan and State of Nevada to intervene is GRANTED.

/s/ Leslie H. Southwick  
LESLIE H. SOUTHWICK  
UNITED STATES CIRCUIT JUDGE