

Case No. 19-1614

**IN THE UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT**

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MAYOR AND CITY COUNCIL	:	
OF BALTIMORE,	:	On Appeal from the
Plaintiff-Appellee,	:	United States District Court
v.	:	District of Maryland
	:	
ALEX M. AZAR II et al.,	:	
Defendants-Appellants	:	

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**MOTION OF *AMICI CURIAE* OHIO AND 13 OTHER STATES  
FOR ORAL ARGUMENT TIME**

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## MOTION FOR ORAL ARGUMENT TIME

The *amici* States respectfully move the Court for five minutes of time at oral argument in this case. The *amici* States filed an *amicus* brief supporting Title X and supporting the rules at issue in this appeal. Since the Court will already hear from a local government opposing the rules (namely, the City of Baltimore), the *amici* believe the Court would benefit from hearing the contrary perspective of the States supporting the rules.

The *amici* States' perspective differs from the City's not only because they support, rather than oppose, the rules, but also because they are States. Title X is structured to grant money to States, which in turn spend the funds directly or, more commonly, subgrant them to local governments and private parties. Thus, the *amici* States see how the program runs through various providers. The *amici* States also understand their statewide constituencies' interest in preserving Title X's family-planning mission without abortion involvement. Those same features distinguish the States' perspective from that of the federal government, as the States see the providers and the various constituencies more closely.

For those reasons, the *amici* States seek five minutes of argument time at oral argument in this case. The federal defendants consent to this request, as long as the States' time is additional, and not taken from the federal defendants' time.

The City of Baltimore also consents, but with a different caveat: it asks for five additional minutes for itself so that its argument time equals the time of all the parties arguing in support of the rule.

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## CERTIFICATE OF SERVICE

I hereby certify that on July 16, 2019, the foregoing was filed electronically. Notice of this filing will be sent to all parties for whom counsel has entered an appearance by operation of the Court's electronic filing system. Parties may access this filing through the Court's system. I further certify that a copy of the foregoing has been served by e-mail or facsimile upon all parties for whom counsel has not yet entered an appearance and upon all counsel who have not entered their appearance via the electronic system.

/s/ Benjamin M. Flowers

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