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July 1, 2019

Lyle W. Cayce, Clerk of the Court
United States Court of Appeal for the Fifth Circuit
Office of the Clerk
F. Edward Hebert Building
600 S. Maestri Place
New Orleans, LA 70130-3408

RE: Request to extend time to file supplemental briefs and continue oral argument in *Texas v. United States*, Case No. 19-10011

Dear Mr. Cayce:

The Court should deny the plaintiff states' request to extend the time to file supplemental briefs and continue oral argument in this matter. The issues raised by the Court's supplemental briefing order provide no basis for delaying these proceedings. To the contrary, there remain strong reasons to resolve this case on an expedited basis. As the federal defendants explained in asking this Court to set oral argument for its July sitting, prompt resolution of this appeal "will help reduce uncertainty in the healthcare sector, and other areas affected by the Affordable Care Act." ECF No. 514906506 at 2. And as the state defendants explained in asking this Court to adopt an expedited briefing schedule, a wide range of fiscal, regulatory, and individual decisions depend on the outcome of this appeal. *See* ECF No. 514820298 at 2-3. State lawmakers rely on funds allocated by the ACA when setting their budgets, a process that can take months. *Id.* at 3. State regulators begin working with insurers to set health insurance premiums well before those prices take effect. *Id.* And individuals rely on the availability of high quality, affordable healthcare coverage in deciding whether to move, change jobs, or start a family. *Id.* *See also* ROA.1136-1146.

Allowing this appeal to proceed on its current schedule will provide some measure of certainty about the ACA's future to States, the healthcare system (including providers and insurers), and ordinary Americans, and allow them to structure their affairs accordingly. While the questions raised by the Court's

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supplemental briefing order may “affect each Plaintiff-Appellee State differently,” Tex. Ltr. 1, that is no reason to delay an argument that has already been scheduled, and indeed is just over a week away.

For these reasons, the Court should deny the plaintiff states’ request to extend the deadline to file supplemental briefs and continue oral argument.

Sincerely,

s/ Douglas N. Letter

s/ Samuel P. Siegel

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CERTIFICATE OF SERVICE

I certify that on July 1, 2019, I electronically filed this letter with the Clerk of the Court of the United States Court of Appeals for the Fifth Circuit by using the appellate CM/ECF system. I certify that all other participants in this case are registered CM/ECF users and that service will be accomplished by the appellate CM/ECF system.

Dated: July 1, 2019

/s Samuel P. Siegel

Samuel P. Siegel