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July 1, 2019

Lyle W. Cayce, Clerk
United States Court of Appeals for the Fifth Circuit
600 S. Maestri Place, Suite 115
New Orleans, LA 70130

Re: No. 19-10011, *Texas v. United States*

Dear Mr. Cayce:

On June 26, the panel requested supplemental briefing on several significant questions about the standing of the intervenors, the existence of a live case or controversy, and the “appropriate conclusion” to this appeal in the event the Court lacks appellate jurisdiction. These questions, which turn in part on a recent U.S. Supreme Court decision, have not previously been briefed by the parties and implicate considerations that may affect each Plaintiff-Appellee State differently.

These important and potentially dispositive questions merit a thorough response that represents the cohesive views of all Plaintiff-Appellee States and their respective Attorneys General. As of today, it appears unlikely that any such response will be completed by the Court’s July 3 deadline.

As a result, the Plaintiff-Appellee States ask the Court to extend by 20 days—to July 23, 2019—the time to file their supplemental brief. The Plaintiff-Appellee States further ask the Court to continue the oral argument setting to a date of the Court’s choosing after supplemental briefs have been filed.

The State Intervenor-Defendants and the U.S. House oppose this request and intend to file a written opposition. The Individual Plaintiffs-Appellees oppose but will not file a written opposition. The federal Defendants oppose any extension of the supplemental briefing deadline that would delay the scheduled oral argument,

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but would consent to any extension of the supplemental briefing until 24 hours before the scheduled oral argument.

Sincerely yours,

/s/ Kyle D. Hawkins

Kyle D. Hawkins

Lead Counsel of Record for

Plaintiff-Appellee States

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Certificate of Service

On July 1, 2019, this letter was served via CM/ECF on all registered counsel and transmitted to the Clerk of the Court. Counsel further certifies that: (1) any required privacy redactions have been made in compliance with Fifth Circuit Rule 25.2.13; (2) the electronic submission is an exact copy of the paper document in compliance with Fifth Circuit Rule 25.2.1; and (3) the document has been scanned with the most recent version of Symantec Endpoint Protection and is free of viruses.

/s/ Kyle D. Hawkins
KYLE D. HAWKINS

Certificate of Conference

On July 1, 2019, I contacted lead counsel for the other parties on appeal regarding the relief requested in this letter. The State Intervenor-Defendants and the U.S. House oppose and intend to file a written opposition. The Individual Plaintiffs-Appellees oppose. The federal Defendants oppose any extension of the supplemental briefing deadline that would delay the scheduled oral argument, but would consent to any extension of the supplemental briefing until 24 hours before the scheduled oral argument.

/s/ Kyle D. Hawkins
KYLE D. HAWKINS