

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION

Richard W. DeOtte, et al.,

Plaintiffs,

v.

Alex M. Azar II, et al.,

Defendants.

Case No. 4:18-cv-825-O

**PLAINTIFFS' UNOPPOSED MOTION TO EXTEND DEADLINE
FOR FILING APPLICATION FOR ATTORNEYS' FEES**

The Court entered final judgment on July 29, 2019. ECF No. 98. On July 30, 2019, the parties jointly moved to extend the plaintiffs' deadline for filing their application for attorneys' fees until October 4, 2019—seven days after the defendants' deadline for filing a notice of appeal. ECF No. 99. The Court granted this motion on July 31, 2019, and extended the deadline to October 4, 2019. ECF No. 100.

The defendants, however, have chosen to appeal this Court's final judgment, as well as "all prior orders and decisions that merge into that Judgment." ECF No. 103. Because of this pending appeal, the parties have conferred and agree that it would serve both judicial economy and the efficient use of the parties' limited resources to extend the deadline for the plaintiffs' fee application until 14 days after the conclusion of the defendants' appeal, including any proceedings that might take place in the Supreme Court of the United States. A proposed order is attached.

CONCLUSION

The plaintiffs' deadline for filing their application for attorneys' fees should be extended until 14 days after the conclusion of the defendants' appeal.

Respectfully submitted.

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Dated: September 28, 2019

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CERTIFICATE OF CONFERENCE

I certify that on September 28, 2019, I conferred with Daniel Riess, counsel for the defendants, and he informed me that the defendants are unopposed to this motion.

/s/ Jonathan F. Mitchell
JONATHAN F. MITCHELL
*Counsel for Plaintiffs and
the Certified Classes*

CERTIFICATE OF SERVICE

I certify that on September 28, 2019, I served this document through CM/ECF upon all counsel of record in this case, including:

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**[PROPOSED] ORDER GRANTING PLAINTIFFS' MOTION TO
EXTEND DEADLINE FOR FILING APPLICATION FOR
ATTORNEYS' FEES**

The plaintiffs' unopposed motion to extend their deadline for filing an application for attorneys' fees is granted. The plaintiffs shall have until 14 days after the expiration of the defendants' appeal, including any proceedings that might take place in the Supreme Court of the United States, to file their motion for costs and fees.

Dated: _____, 2019

REED O'CONNOR
UNITED STATES DISTRICT JUDGE