

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

RICHARD W. DEOTTE et al.,

Plaintiffs-Appellees,

v.

ALEX M. AZAR II et al.,

Defendants-Appellants,

STATE OF NEVADA,

Movant-Appellant.

No. 19-10754

**FEDERAL DEFENDANTS’
MOTION FOR VOLUNTARY DISMISSAL**

Pursuant to Federal Rule of Appellate Procedure 42(b), the federal defendants move to dismiss their appeal, with the federal defendants to bear their own costs (but not those of any other party). This motion pertains only to the federal defendants’ appeal, not to Nevada’s appeal.

We have contacted counsel for plaintiffs and for Nevada, and plaintiffs have agreed to the terms of the federal defendants' dismissal. We have not received a response from Nevada.

Respectfully submitted,

SHARON SWINGLE

/s/ Karen Schoen
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DECEMBER 2019

CERTIFICATE OF COMPLIANCE

Pursuant to Federal Rule of Appellate Procedure 32(g), I hereby certify that this motion complies with the requirements of Rule 27(d)(1)(E) because it has been prepared in 14-point Century Schoolbook, a proportionally spaced font, and that it complies with the type-volume limitation of Rule 27(d)(2)(A), because it contains 82 words, according to the count of Microsoft Word.

/s/ Karen Schoen
Karen Schoen
*Counsel for the Federal
Government*

CERTIFICATE OF SERVICE

I hereby certify that on December 6, 2019, I electronically filed the foregoing motion with the Clerk of the Court for the United States Court of Appeals for the Fifth Circuit by using the appellate CM/ECF system. Participants in the case are registered CM/ECF users, and service will be accomplished by the appellate CM/ECF system.

/s/ Karen Schoen
Karen Schoen
*Counsel for the Federal
Government*