

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND**

MAYOR AND CITY COUNCIL OF BALTIMORE,

Plaintiff,

v.

ALEX M. AZAR II, in his official capacity as the Secretary of Health and Human Services; UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES; DIANE FOLEY, M.D., in her official capacity as the Deputy Assistant Secretary, Office of Population Affairs; OFFICE OF POPULATION AFFAIRS,

Defendants.

Case No. 1:19-cv-01103-RDB

JOINT STATUS REPORT

The parties submit this joint status report in light of the Fourth Circuit's September 3, 2020 decision affirming this Court's permanent injunction, within the State of Maryland, of the Rule challenged in this litigation. *See Mayor & City Council of Baltimore v. Azar*, 2020 WL 5240442, --- F.3d ---- (4th Cir. Sept. 3, 2020).

The parties have conferred and agree that no further action from this Court is required at this time. The government is currently considering whether to file a petition for certiorari with the United States Supreme Court regarding the Fourth Circuit's decision. The deadline for Defendants to file such a petition is February 1, 2021. The parties respectfully request that the Court hold this matter in abeyance until all appellate review of this Court's permanent injunction is exhausted.

The parties further propose to file an additional status report by no later than February 15, 2021, to address the status of any further review sought by the government.

Dated: September 18, 2020

Respectfully submitted,

/s/ Andrew Tutt

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