

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

Vita Nuova Inc., on behalf of itself and
others similarly situated,

Plaintiff,

v.

Alex M. Azar II, in his official capacity
as Secretary of Health and Human
Services; **United States of America**,

Defendants.

Case No. 4:19-cv-00532-O

JOINT STATUS REPORT AND PROPOSED BRIEFING SCHEDULE

The Court's Order of December 2, 2020 (ECF No. 47), directs the parties to "meet and confer regarding whether discovery is necessary and to propose a briefing schedule on the motion for summary judgment." The parties have conferred and agree that a limited period of discovery is appropriate and respectfully propose that the Court order the parties to meet and confer pursuant to Federal Rule of Civil Procedure 26(f) by December 18, 2020. Because the parties anticipate that this case will involve limited discovery, the parties respectfully ask the Court to continue to hold briefing on Plaintiff's motion for summary judgment in abeyance, and to order the parties to propose a briefing schedule in their post-discovery conference report.

A proposed order with this briefing schedule is attached.

Respectfully submitted.

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Dated: December 7, 2020

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CERTIFICATE OF SERVICE

I certify that on December 7, 2020, I served this document through CM/ECF upon:

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**[PROPOSED] ORDER SETTING BRIEFING SCHEDULE FOR
PLAINTIFFS' MOTIONS FOR CLASS CERTIFICATION AND
SUMMARY JUDGMENT**

Having considered the parties' joint status report, it is ORDERED that:

- The parties shall meet and confer pursuant to Federal Rule of Civil Procedure 26(f) by December 18, 2020.
- Briefing on plaintiff's motion for summary judgment (ECF No. 34) shall remain stayed, and the parties shall propose a schedule for propose a summary judgment briefing schedule in their post-discovery conference report,

Dated: _____, 2020

REED O'CONNOR
UNITED STATES DISTRICT JUDGE