

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA**

NORWEGIAN CRUISE LINE HOLDINGS LTD., a Bermuda Company; **NCL (BAHAMAS) LTD.**, d/b/a NORWEGIAN CRUISE LINE, a Bermuda Company; **SEVEN SEAS CRUISES S. DE R.L.**, d/b/a REGENT SEVEN SEAS CRUISES, a Panama Limited Liability Company; **OCEANIA CRUISES S. DE R.L.**, d/b/a OCEANIA CRUISES, a Panama Limited Liability Company;

Plaintiffs,

v.

SCOTT A. RIVKEES, M.D., State Surgeon General and Head of the Florida Department of Health, in his official capacity;

Defendant.

Case No. 1:21-cv-22492-KMW

JOINT MOTION TO SUSPEND DEADLINES PENDING APPEAL

The parties hereby respectfully submit this joint motion to suspend all deadlines and further proceedings in the case pending the outcome of Defendant’s appeal to the Court of Appeals for the Eleventh Circuit of the preliminary injunction entered by this Court. *See Norwegian Cruise Line Holdings Ltd, et al v. State Surgeon General*, No. 21-12729 (11th Cir. Aug. 11, 2021). At the same time, the parties agree and acknowledge that this Court’s preliminary injunction (Dkt. 43) shall remain in full force and effect throughout the requested suspension, unless and until it may be properly modified or lifted via a judicial order.

“[T]he power to stay proceedings is incidental to the power inherent in every court to control the disposition of the causes on its docket with economy of time and effort for itself, for counsel, and for litigants.” *Landis v. N. Am. Co.*, 299 U.S. 248, 254 (1936). The “decision to grant a stay . . . is ‘generally left to the sound discretion of district courts.’” *Ryan v. Gonzales*, 568 U.S. 57, 74 (2013) (quoting *Schriro v. Landrigan*, 550 U.S. 465, 473 (2007)). The parties

respectfully submit that a stay of all deadlines will serve the interests of party and judicial economy, as the Eleventh Circuit's disposition of Defendant's pending appeal may materially inform the Court's analysis of the same claims pending before it. The parties respectfully request that any stay be entered without prejudice to either party filing a motion to lift the stay once the appeal concludes or for good cause, to the extent that intervening developments may arguably warrant further action by this Court. The parties propose to submit a joint status report within 30 days after the Eleventh Circuit issues the mandate in Defendant's appeal.

DATED: August 20, 2021

Respectfully submitted,

/s/ Joseph O. Masterman

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 20th day of August 2021, the foregoing document was electronically filed with the Clerk of Court using CM/ECF. I also certify that the foregoing document is being served this day on all counsel of record in the manner specified, either via transmission of Notice of Electronic Filing generated by CM/ECF or in some other authorized manner for those counsel who are not authorized to receive Notice of Electronic Filing.

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