

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
TAMPA DIVISION

STATE OF FLORIDA,

*Plaintiff,*

v.

No. 8:21-cv-2524-SDM-TGW

BILL NELSON, et al.,

*Defendants.*

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**NOTICE OF COMPLIANCE**

In compliance with this Court's order, Doc. 11, the parties conferred regarding a proposed schedule on November 4, 2021. The parties have agreed and propose to the Court as follows:

- The government's response to Florida's motion for preliminary injunction, Doc. 10, will be due on Wednesday, November 17. The government has requested an enlargement of pages, and Florida does not object to the government filing a 40-page brief if Florida is permitted to file a 15-page reply.
- Florida's reply brief will be due on Monday, November 29.
- The parties request oral argument, but not an evidentiary hearing, the week beginning November 29, and are generally available that week. If necessary, the parties are also available the week after. Florida requests that the hearing not be scheduled on November 29 because its reply brief will be due that day.

Regarding the date by which a ruling is requested, the government has extended the deadline for covered-contractor employees to be vaccinated until January 4, 2022.

The parties respectfully request a decision no later than that date. Beyond that, the parties could not agree.

**Florida's position:** Florida requests a decision as soon as possible because (a) in order to be vaccinated by January 4, individuals are already taking steps to comply with the government's unlawful action against their will; and (b) Florida has not acquiesced to the government's unlawful contract provisions, *see* Doc. 10-4, 10-5, 10-6, and believes the government will not consider it for contracting opportunities, which may be available immediately and about which Florida sometimes lacks knowledge.

**The government's position:** As will be explained in its forthcoming opposition, the government disagrees with Florida's characterization of the lawfulness of EO 14042 and of the urgency for relief. The government defers to the Court on the timing of its decision.

Respectfully submitted,

Ashley Moody  
ATTORNEY GENERAL

/s/ James H. Percival  
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**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing was filed with the Court's CM/ECF system, which provides notice to all parties, on this 5th day of November, 2021.

/s/ James H. Percival  
James H. Percival