

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF GEORGIA
BRUNSWICK DIVISION

THE STATE OF GEORGIA, et al.)	
)	
Plaintiffs,)	
)	
v.)	
)	Case No. 2:22-cv-00006-LGW-BWC
CHIQUITA BROOKS-LASURE in her)	
official capacity as Administrator of the)	
Centers for Medicare and Medicaid)	
Services; et al.)	
)	
Defendants.)	

**JOINT MOTION FOR A BRIEFING SCHEDULE,
FOR A STAY OF OTHER CASE DEADLINES,
AND TO EXPEDITE HEARING AND DECISION**

The parties, by and through their counsel, respectfully request that this Court enter the following, proposed briefing schedule in connection with Plaintiffs’ motion for summary judgment and state as follows:

1. Plaintiffs challenge the decision by the U.S. Department of Health and Human Services (HHS) to partially withdraw authority for the State of Georgia’s most recent Medicaid demonstration project. Compl. ¶ 7.
2. The project was slated to go into effect in July 2021; however, the State of Georgia paused its implementation on June 24, 2021, and HHS partially withdrew its authority for the project on December 23, 2021. Compl. ¶ 72. Plaintiffs filed this suit on January 21, 2022.
3. Plaintiffs moved for summary judgment on March 16, 2022, twelve days before Defendants’ deadline to respond to the Complaint. Pls.’ Mot. for Summ. J., ECF No. 13; *see also* Set/Ret Deadlines Docket Entry of Feb. 2, 2022.

4. The parties have agreed on a combined, consolidated briefing schedule in connection with Plaintiffs' summary-judgment motion. In the interests of judicial economy and conservation of the parties' resources, Defendants wish to file a motion to dismiss the Complaint in conjunction with their opposition to Plaintiffs' summary-judgment motion and with their cross-motion for summary judgment.
5. The proposed briefing schedule accounts for the time needed for Defendants to produce the administrative record for this case and presents Plaintiffs' claims for a final decision on the merits on an expedited basis.
6. The parties further request that this Court stay all other case deadlines in this case. Because this case is an action for review on an administrative record, Fed. R. Civ. P. 26(a)(1)(B)(i), the parties respectfully submit that no additional case-management deadlines, including a joint case-management report and a scheduling conference under Fed. R. Civ. P. 16, are needed at this time. *See* Fed. R. Civ. P. 26(f)(1).
7. The parties hereby propose the following briefing schedule:
 - May 5, 2022: Defendants produce the administrative record
 - Defendants file their opposition to Plaintiffs' motion for summary judgment, motion to dismiss, and cross-motion for summary judgment
 - May 26, 2022: Plaintiffs file their reply in support of their motion for summary judgment, opposition to Defendants' motion to dismiss, and opposition to Defendants' cross-motion for summary judgment
 - June 16, 2022: Defendants file their reply in support of their motion to dismiss and their motion for summary judgment
8. The parties respectfully request that the Court set a hearing and enter a decision as soon as feasible thereafter. Plaintiffs submit that this case involves a major federal-state Medicaid demonstration project with significant policy and budgetary impacts at

both the state and federal levels, and it is critical to have clarity about the terms under which this program will be operated. Both Plaintiffs and Defendants have acted in good faith to streamline and expedite this case.

Dated: March 21, 2022

Respectfully submitted,

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[PROPOSED] ORDER

The Court having reviewed the parties’ joint motion for a briefing schedule, for a stay of case-management deadlines, and for expedited briefing and decision hereby GRANTS the parties’ motions. The Court enters the parties’ proposed briefing schedule in connection with Plaintiffs’ summary-judgment motion, which is as follows:

- May 5, 2022: Defendants produce the administrative record
Defendants file their opposition to Plaintiffs’ motion for summary judgment, motion to dismiss, and cross-motion for summary judgment
- May 26, 2022: Plaintiffs file their reply in support of their motion for summary judgment, opposition to Defendants’ motion to dismiss, and opposition to Defendants’ cross-motion for summary judgment
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The Court further STAYS all case-management deadlines in this case.

Finally, the Court will expedite any hearing and ultimate decision in this case to the extent feasible.

SO ORDERED.

Date

Lisa Gobney Wood
United States District Judge