

ORIGINAL

U.S. DISTRICT COURT  
NORTHERN DISTRICT OF TEXAS  
FILED  
JAN 11 2019  
CLERK, U.S. DISTRICT COURT  
By Deputy

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

4:18-cv-167-0

No. 19-10011

STATE OF TEXAS; STATE OF WISCONSIN; STATE OF ALABAMA;  
STATE OF ARIZONA; STATE OF FLORIDA; STATE OF GEORGIA; STATE  
OF INDIANA; STATE OF KANSAS; STATE OF LOUISIANA; PAUL  
LEPAGE, Governor of Maine; STATE OF MISSISSIPPI, by and through  
Governor Phil Bryant; STATE OF MISSOURI; STATE OF NEBRASKA;  
STATE OF NORTH DAKOTA; STATE OF SOUTH CAROLINA; STATE OF  
SOUTH DAKOTA; STATE OF TENNESSEE; STATE OF UTAH; STATE OF  
WEST VIRGINIA; STATE OF ARKANSAS; NEILL HURLEY; JOHN  
NANTZ,

Plaintiffs - Appellees

v.

UNITED STATES OF AMERICA; UNITED STATES DEPARTMENT OF  
HEALTH & HUMAN SERVICES; ALEX AZAR, II, SECRETARY, U.S.  
DEPARTMENT OF HEALTH AND HUMAN SERVICES; UNITED STATES  
DEPARTMENT OF INTERNAL REVENUE; CHARLES P. RETTIG, in his  
Official Capacity as Commissioner of Internal Revenue,

Defendants - Appellants

STATE OF CALIFORNIA; STATE OF CONNECTICUT; DISTRICT OF  
COLUMBIA; STATE OF DELAWARE; STATE OF HAWAII; STATE OF  
ILLINOIS; STATE OF KENTUCKY; STATE OF MASSACHUSETTS;  
STATE OF NEW JERSEY; STATE OF NEW YORK; STATE OF NORTH  
CAROLINA; STATE OF OREGON; STATE OF RHODE ISLAND; STATE OF  
VERMONT; STATE OF VIRGINIA; STATE OF WASHINGTON; STATE OF  
MINNESOTA,

Intervenor Defendants - Appellants

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Appeals from the United States District Court  
for the Northern District of Texas

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**O R D E R :**

IT IS ORDERED that the opposed motion of appellants United States of America, United States Department of Health and Human Services, Alex Azar, II, Secretary, U.S. Department of Health and Human Services, United States Department of Internal Revenue and Charles P. Rettig to stay proceedings in this court in light of lapse of appropriations is GRANTED.

/s/ Leslie H. Southwick  
LESLIE H. SOUTHWICK  
UNITED STATES CIRCUIT JUDGE

ORIGINAL

JAN 11 2019  
FEDERAL DISTRICT OF TE

**United States Court of Appeals**

FIFTH CIRCUIT  
OFFICE OF THE CLERK

LYLE W. CAYCE  
CLERK

TEL. 504-310-7700  
600 S. MAESTRI PLACE,  
Suite 115  
NEW ORLEANS, LA 70130

January 11, 2019

MEMORANDUM TO COUNSEL OR PARTIES LISTED BELOW:

No. 19-10011 State of Texas, et al v. USA, et al  
USDC No. 4:18-CV-167 — C

Enclosed is an order entered in this case.

Sincerely,

LYLE W. CAYCE, Clerk



By: \_\_\_\_\_  
Peter A. Conners, Deputy Clerk  
504-310-7685

Mr. Nimrod Elias  
Mr. Darren Lee McCarty  
Mr. Shawn McRoberts  
Ms. Karen S. Mitchell  
Ms. Neli N. Palma  
Mr. Brett Shumate  
Mr. Samuel Siegel  
Mr. Martin Vincent Totaro  
Mr. Donald B. Verrilli Jr.

P.S. to Mr. Totaro: You must motion to court to lift the stay once it's complete. Response time to the motion to intervene will be re-set for ten (10) days once case is removed from abeyance.