

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
GREENVILLE DIVISION**

EDEN ROGERS, *et al.*

Plaintiffs,

v.

UNITED STATES DEPARTMENT OF
HEALTH AND HUMAN SERVICES, *et al.*,

Defendants.

Case No. 6:19-cv-1567 (TMC)

**FEDERAL DEFENDANTS’ MOTION FOR EXTENSION OF TIME TO RESPOND TO
COMPLAINT**

Defendants United States Department of Health and Human Services (“HHS”); Administration for Children and Families (“ACF”); Alex Azar, in his official capacity as Secretary of HHS; Lynn Johnson, in her official capacity as Assistant Secretary of ACF; and Steven Wagner, in his official capacity as Principal Deputy Assistant Secretary of ACF (collectively the “Federal Defendants”), file this Motion for Extension of Time to Respond to the Complaint, seeking an extension commensurate with any extension provided to the State Defendants pursuant to their motions for extension, ECF Nos. 32 and 33.

The Federal Defendants’ deadline to respond to the Complaint is currently set for July 30, 2019. The State Defendants have now moved for a 30-day extension of time to respond, seeking a deadline of August 29, 2019. ECF Nos. 32, 33. In order to ensure that all Defendants’ deadlines align and to avoid inefficient multiple tracks of briefing on potential motions to dismiss, the Federal Defendants request that the Court grant the Federal Defendants an extension of the same length of any granted to the State Defendants. This is the Federal Defendants’ first request for

extension of time to respond to the Complaint, and they do not anticipate any further such requests. In light of the Plaintiffs' opposition to the Governor's motion for extension, and the fact that the relief requested in this motion is contingent on granting the Governor's motion, the Federal Defendants understand this motion to be opposed.

For these reasons, the Federal Defendants respectfully request that, if the Court grants an extension of time to the State Defendants pursuant to their motions, ECF Nos. 32, 33, the Court grant an equal extension to the Federal Defendants.

Dated: July 24, 2019

Respectfully submitted,

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/s/ Christie V. Newman

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**Pro hac vice application forthcoming
Counsel for Federal Defendants*