

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND**

MAYOR AND CITY COUNCIL OF
BALTIMORE,

Plaintiff,

v.

ALEX M. AZAR II, in his official capacity as the
Secretary of Health and Human Services; UNITED
STATES DEPARTMENT OF HEALTH AND
HUMAN SERVICES,

Defendants.

Civil Action No. 1:19-cv-01672 (GLR)

PLAINTIFF'S MOTION FOR ENLARGEMENT OF PAGE LIMIT

Plaintiff Mayor and City Council of Baltimore moves for an enlargement of the page limitation for the Memorandum of Law in support of its anticipated Motion for a Preliminary Injunction, as follows:

- Plaintiff's Memorandum in Support of Motion of up to 50 pages
- Plaintiff's Reply Memorandum of up to 25 pages.

Plaintiff would stipulate to Defendants' having an equivalent 50 pages for their responsive filing. Plaintiff submits the attached Memorandum in Support.

DATED: June 11, 2019

Respectfully submitted,

Andre M. Davis #00362

City Solicitor

Suzanne Sangree #26130

Senior Public Safety Counsel and Director of
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_____/s/_____
Richard B. Katskee #27636
Kenneth D. Upton, Jr.* (admitted *pro hac vice*)

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*Admitted in Texas and Oklahoma only. Supervised
by Richard B. Katskee, a member of the D.C. Bar.

ATTORNEYS FOR PLAINTIFF

CERTIFICATE OF SERVICE

I hereby certify that on June 11, 2019 the foregoing document was electronically filed with the Clerk of the Court using the CM/ECF system and all counsel of record will receive an electronic copy via the Court's CM/ECF system.

_____/s/_____
Richard B. Katskee

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Defendants.

Civil Action No. 1:19-cv-01672 (GLR)

**PLAINTIFF’S MEMORANDUM IN SUPPORT OF
MOTION FOR ENLARGEMENT OF PAGE LIMIT**

Plaintiff Mayor and City Council of Baltimore has moved for an enlargement of the page limitation for the Memorandum of Law in support of its anticipated Motion for a Preliminary Injunction. Pursuant to Local Rule 105(3), a memorandum in support of a motion is limited to 35 pages. Plaintiff has requested that the Court permit it to file a memorandum of up to 50 pages in length.

The 100+-page regulation challenged in the Complaint is invalid under the Administrative Procedure Act (APA) on numerous, independent grounds, including constitutional grounds. The requested page extension is necessary to allow Plaintiff to fully address these issues. Plaintiff believes a thorough discussion of these issues, including relevant factual and procedural background, will assist the Court in considering the factors at issue in a motion for preliminary injunction. Accordingly, Plaintiff respectfully requests permission to file a memorandum of up to 50 pages and a reply of up to 25 pages.

Plaintiff would stipulate to Defendants' having an equivalent 50 pages for their responsive filing.

CONCLUSION

For the foregoing reasons, Plaintiff respectfully requests that the Court grant Plaintiff's Motion for Enlargement of Pages for its memorandum of law in support of its motion for a preliminary injunction to 50 pages and a reply of up to 25 pages.

DATED: June 11, 2019

Respectfully submitted,

Andre M. Davis #00362
City Solicitor
Suzanne Sangree #26130
Senior Public Safety Counsel and Director of
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