

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION**

ASHLEE and RUBY HENDERSON a married couple)		
and L.W.C.H., by his parent and next friend)		
Ruby Henderson, <i>et al.</i> ,)		
)	No. 1:15-cv-220-TWP-MJD
Plaintiffs))	
)	
v.))	
)	
KRISTINA BOX, in her official capacity as)		
Indiana State Health Commissioner, <i>et al.</i> ,)		
)	
Defendants.))	

**UNOPPOSED MOTION TO EXTEND TIME TO FILE FOR
ATTORNEYS' FEES AND COSTS**

Ashlee and Ruby Henderson, a married couple and L.W.C.H., by his parent and next friend Ruby Henderson; Nicole and Jennifer Singley and H.S., by his parent and next friend, Jennifer Singley; Nicki and Tonya Bush-Sawyer and I.J.B-S by his mother and next friend Nicki Bush-Sawyer; Lyndsey and Cathy Bannick, a married couple and H.N.B. by his parent and next friend, Lyndsey Bannick; Calle and Sarah Janson and Unborn Baby Doe by his/her next friend and mother-to-be Calle Janson; Nikkole McKinley-Barrett and Donnica Barrett, a married couple and G.R.M.B., by his mother and next friend, Donnica Barrett; Noell and Crystal Allen, a married couple; and, Jackie and Lisa Phillips-Stackman, a married couple and L.J.P-S, by her mother and next friend, Lisa-Phillips-Stackman, (all hereinafter "Plaintiffs") by counsel, hereby state as follows:

1. On June 30, 2016, this Court entered final judgment in favor of Plaintiffs. On December 30, 2016, this court entered an order on Defendant's Motion to Alter or Amend the Judgment.

2. Plaintiffs are entitled to an award of their reasonable attorneys' fees and costs as the prevailing parties in this case.

3. The Court's entry of July 21, 2016 allows the plaintiffs to file for their attorney fees and costs until a) 30 days after the time to file a Notice of Appeal has run, if no notice has been filed; b) if an appeal is filed, 95 days after the Seventh Circuit issues its decision in this case or the case is otherwise resolved in the Seventh Circuit, or c) 35 days after any proceedings in the United States Supreme Court are resolved, whichever is later.

4. The United States Supreme Court resolved this matter by order of the court denying the State of Indiana's petition for certiorari on December 14, 2020.

5. Counsel has consulted with Thomas Fisher, Solicitor General and lead counsel for the Defendants, and has been advised that there is no objection to this motion.

6. The respective counsel for the Plaintiffs and Defendants are attempting to resolve this issue without involving the court's time.

7. Plaintiffs therefore request that the time to file for fees and costs be extended until forty-five (45) days from the current deadline of

January 18, 2021 i.e., until March 4, 2021 in which to file for the attorney fees and costs.

8. This motion is not made for any dilatory purpose, nor should it have any such effect.

WHEREFORE, Plaintiffs, by counsel, request that the time for filing for reasonable attorneys' fees be extended, as noted above, and for all other proper relief.

Respectfully submitted,

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing *Unopposed Motion To Extend Time To File For Attorneys' Fees And Costs* was filed electronically on the 11th day of January, 2021. Notice of this filing will be sent to all counsel of record by operation of the Court's electronic filing system.

/s/Richard A. Mann

Hon. Tanya Walton Pratt, Judge
United States District Court
Southern of Indiana

Date

Copies to all counsel of record via CM/ECF