

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, *et al.*,)

Plaintiffs,)

vs.)

No. 1:15-cv-220-TWP-MJD

KRISTINA BOX, in her official capacity)
as Indiana State Health Commissioner, *et al.*,)

Defendants.)

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

Plaintiffs, by their undersigned 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. That order was affirmed on appeal, *Henderson v. Box*, 947 F 3d 482 (7th Cir. 2020).

2. The United States Supreme Court resolved this matter by order when it denied Defendants' petition for certiorari on December 14, 2020.

3. Counsel for Plaintiffs have previously sought (Dkt. 158) and were granted (Dkt. 159) an unopposed enlargement of time to and including March 4, 2021, to file for fees.

4. Since that time, all of Plaintiffs' counsel with the exception of Mann Law have reached a tentative agreement as to fees and costs that is currently in the statutorily-required

approval process. However, counsel for Defendants is not able to assure that process will be completed by March 4, 2021. This motion is also made on behalf of the Washington, D.C. firm of Ropes & Gray, who served as lead counsel in filing Plaintiffs' Brief in Opposition to Defendants' cert petition in the Supreme Court and attorneys of the National Center for Lesbian Rights.

5. The undersigned attorneys for Plaintiffs therefore request that the time to file for fees and costs be extended for twenty-eight (28) days from the current deadline of March 4 to and including April 1, 2021, in which to file for the attorney fees and costs in the unlikely event their tentative agreement is not approved.

WHEREFORE, Plaintiffs request that their time to file for attorneys' fees and costs be extended to and including April 1, 2021.

Respectfully submitted,

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**ORDER GRANTING MOTION FOR EXTENSION OF TIME
TO FILE MOTION FOR FEES AND COSTS**

This matter comes before the Court upon a Motion for Extension of Time to File Motion for Fees and Costs. And the Court, being duly advised in the premises, hereby GRANTS said motion.

IT IS HEREBY ORDERED that the deadline for Plaintiffs to file their motion for fees and costs in this matter is April 1, 2021.

ALL OF WHICH IS ORDERED this _____ day of March, 2021.

U.S. District Court Judge

Copies to:

Service will be made electronically on all ECF-registered counsel of record via email generated by the court’s ECF system.