

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NORTH DAKOTA**

State of North Dakota, et. al,	)	
	)	
Plaintiff,	)	Case No. 3:16-cv-386
	)	
vs.	)	<b>ORDER</b>
	)	
United States Department of Health and	)	
Human Services, et. al,	)	
	)	
Defendants.	)	

The docket reflects that M.D. Thomas E. Price, as the Secretary of the United States Department of Health and Human Services, is a defendant. However, the court is aware that he no longer serves in that capacity. Alex M. Azar II is his successor.

Pursuant to Federal Rule of Civil Procedure 25(d), when a public officer who is a party in an official capacity ceases to hold office while the action is pending, the “successor is automatically substituted as a party.” Accordingly, the Clerk is directed to amend the caption to substitute Alex M. Azar II as the successor Secretary of the United States Department of Health and Human Services for M.D. Thomas E. Price.

**IT IS SO ORDERED.**

Dated this 23rd day of July, 2018.

/s/ Alice R. Senechal  
Alice R. Senechal  
United States Magistrate Judge