

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO**

STACIE RAY,)	
<i>et al.</i> ,)	
)	
Plaintiffs,)	Case No. 2:18-cv-00272
)	
v.)	
)	
STEPHANIE McCLOUD,)	Judge: Michael Watson
<i>et al.</i> ,)	
)	Magistrate Judge: Chelsey Vascura
Defendants.)	
)	

JOINT MOTION TO STAY FEES BRIEFING AND SET STATUS REPORTING

Pursuant to Fed. R. Civ. P. 16(b)(4), the parties respectfully move this Court to modify the schedule in the above-captioned case in the following ways: (a) temporarily stay the time for Defendants to oppose Plaintiffs’ Motion for Fees and Costs, ECF 87, and (b) instead set a deadline of April 7, 2021 for the parties to file a joint status report on their progress in settlement negotiations regarding fees and costs and the status of Defendants’ compliance with the Court’s December 16, 2020 Order.

Judgment was entered on December 16, 2020, with this Court’s final order enjoining the Ohio Department of Health’s Policy prohibiting “transgender people the ability to change the sex on their birth certificate” ECF 80 at 27. On February 5, 2021, Plaintiffs filed a motion to recover their fees and costs. ECF 87. On February 12, 2021, Plaintiffs provided Defendants with a proposal outlining Plaintiffs’ stance on what procedures the Ohio Department of Health needed to follow to comply with the Court’s Order. On March 10, 2021, Defendants supplied an offer to settle the pending fee issue. Defendants have yet to respond to Plaintiffs’ proposal regarding the Court’s Order. Plaintiffs have yet to respond to Defendants’ attempt to resolve the fee issue.

The parties have conferred regarding a potential resolution to both the fee motion and implementation of the Court's Order. It was on that basis that the Court previously granted an extension of time for Defendants to respond to the fee motion. *See* ECF 88. The parties are still working towards a resolution and have a conference set for April 5, 2021 at 3:00 p.m., to discuss these matters. The parties have agreed to exchange confidential proposals outlining their respective positions on the remaining issues no later than April 2, 2021. The parties have also agreed to submit a status report no later than April 7, 2021.

Therefore, for good cause shown, the parties respectfully request the Court grant the relief sought in this Motion in the form of the attached Proposed Order.

Dated March 24, 2021

Respectfully Submitted,

(signatures on following page)

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CERTIFICATE OF SERVICE

I certify that on March 24, 2021, I filed the foregoing electronically. Notice of this filing will be sent to all parties for whom counsel has entered an appearance by operation of the Court's electronic filing system. Parties may access this filing through the Court's system.

/s/ Elizabeth Bonham
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[PROPOSED] ORDER

This matter is before the Court on the parties' Joint Motion. For good cause shown, the briefing on Plaintiffs' Motion for Fees and Costs is temporarily stayed. The parties are ORDERED to file a joint status report detailing the status of their discussion regarding the fee motion and Defendants' compliance with the Court's December 16, 2020 order on or before April 7, 2021. Should the parties inform the Court that their discussions have ceased to be productive, the Court will reinstate briefing on the fee motion immediately.

IT IS SO ORDERED.

UNITED STATES DISTRICT JUDGE