

**IN THE UNITED STATES DISTRICT COURT FOR  
THE SOUTHERN DISTRICT OF WEST VIRGINIA**

**HUNTINGTON DIVISION**

CHRISTOPHER FAIN;  
ZACHARY MARTELL; and  
BRIAN MCNEMAR,  
individually and on behalf of all others similarly situated,

Plaintiffs,

v.

CIVIL ACTION NO. 3:20-0740

WILLIAM CROUCH, in his official capacity as  
Cabinet Secretary of the West Virginia  
Department of Health and Human Resources;  
CYNTHIA BEANE, in her official capacity as  
Commissioner for the West Virginia Bureau for  
Medical Services;  
WEST VIRGINIA DEPARTMENT OF HEALTH  
AND HUMAN RESOURCES, BUREAU FOR  
MEDICAL SERVICES;  
TED CHEATHAM, in his official capacity as  
Director of the West Virginia Public Employees  
Insurance Agency; and  
THE HEALTH PLAN OF WEST VIRGINIA, INC.,

Defendants.

**ORDER**

Pending before the Court is Plaintiffs' "Consent Motion to Extend Time for Response to Defendants' Motions to Dismiss." ECF No. 29. For good cause shown, the **GRANTS** the Motion. Plaintiffs' time to respond to Defendants' motions (ECF Nos. 20, 22, 23) is extended by an additional 21 days. The Court **DIRECTS** the Clerk to send a copy of this Order to counsel of record and any unrepresented parties.

ENTER: January 22, 2021



ROBERT C. CHAMBERS  
UNITED STATES DISTRICT JUDGE