

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

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

**Plaintiffs,**

vs.

**Case No.: 3:20-cv-00740  
Judge Robert C. Chambers**

**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.**

**STIPULATION REGARDING ANSWER DEADLINE**

COMES NOW Defendant Ted Cheatham, in his official capacity as Director of the West Virginia Public Employees Insurance Agency, along with Plaintiffs, by and through counsel, and stipulate and agree that pursuant to LR Civ P 11.2 and 12.1, the new deadline to Answer the Complaint for Defendant Ted Cheatham, in his official capacity as Director of the West Virginia Public Employees Insurance Agency is now June 16, 2021.

**TED CHEATHAM, in his official  
capacity as Director of the West Virginia  
Public Employees Insurance Agency,**

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**Defendants.**

**CERTIFICATE OF SERVICE**

I, Eric D. Salyers, Esq., counsel for Defendant Ted Cheatham, in his official capacity as Director of the West Virginia Public Employees Insurance Agency, electronically filed the foregoing “**Stipulation Regarding Answer Deadline**” on this 2<sup>nd</sup> day of **June, 2021**, with the Clerk of the Court using the CM/ECF system, which will send notification of filing, and a copy of the same, to the following CM/ECF participants:

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