

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
WITCHITA FALLS DIVISION

THE STATE OF FLORIDA, *et al.*,

Plaintiffs,

v.

U.S. FOOD AND DRUG
ADMINISTRATION, *et al.*,

Defendants.

No. 7:25-cv-00126-O

DEFENDANTS' MOTION TO STAY OR, ALTERNATIVELY, TO DISMISS

Defendants respectfully move that this Court (1) stay this litigation pursuant to its inherent authority during the pendency of the U.S. Food and Drug Administration's review of the mifepristone Risk Evaluation and Mitigation Strategy or, alternatively, (2) dismiss the Complaint under Federal Rules of Civil Procedure 12(b)(1) and 12(b)(6). The grounds for this motion are set forth in the accompanying memorandum.

March 13, 2026

Respectfully submitted,

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/s/ Noah T. Katzen
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CERTIFICATE OF CONFERENCE

Pursuant to Local Rule 7.1(b), I hereby certify that I exchanged emails with Plaintiffs' counsel (Samuel Elliott, David Dewhirst, Jeffrey DeSousa, Katherine Pitcher, Jonathan Voos, Jason Muelhoff, Amy Hilton, and Camryn Sutton) on multiple dates (January 29, 2026, January 30, 2026, February 6, 2026, February 12, 2026, March 10, 2026, March 11, 2026, and March 13, 2026) regarding Defendants' stay request. I also conferred with Samuel Elliott via phone on March 10. Because Plaintiffs would not agree to the stay as requested, they oppose the motion to stay.

/s/ Noah T. Katzen
NOAH T. KATZEN