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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

STATE OF WASHINGTON, STATE
OF OREGON, STATE OF
ARIZONA, STATE OF
COLORADO, STATE OF
CONNECTICUT, STATE OF
DELAWARE, STATE OF
ILLINOIS, ATTORNEY GENERAL
OF MICHIGAN, STATE OF
NEVADA, STATE OF NEW
MEXICO, STATE OF RHODE
ISLAND, STATE OF VERMONT,
DISTRICT OF COLUMBIA, STATE
OF HAWAII, STATE OF MAINE,
STATE OF MARYLAND, STATE
OF MINNESOTA, and
COMMONWEALTH OF
PENNSYLVANIA,

Plaintiffs,

v.

UNITED STATES FOOD AND
DRUG ADMINISTRATION,
ROBERT M. CALIFF, in his official
capacity as Commissioner of Food
and Drugs, UNITED STATES
DEPARTMENT OF HEALTH AND

NO. 1:23-CV-3026-TOR

ORDER MODIFYING DEADLINES

1 HUMAN SERVICES, and XAVIER
2 BECERRA, in his official capacity as
Secretary of the Department of Health
and Human Services,

3
4 Defendants.

5 BEFORE THE COURT is the Parties' Joint Motion to Modify Deadlines
6 (ECF No. 162) and Joint Motion to Expedite (ECF No. 163). The Court has
7 reviewed the record and files herein and is fully informed.

8 The parties seek to extend the current summary judgment deadlines, the first
9 of which is set on December 6, 2024, by five days. The Court finds good cause to
10 grant the parties' motions.

11 **ACCORDINGLY, IT IS HEREBY ORDERED:**

- 12 1. Parties' Joint Motion to Modify Deadlines (ECF No. 162) and to
13 Expedite (ECF No. 163) are **GRANTED**.
- 14 2. Defendants will file their combined cross-motion for summary judgment
15 and opposition to Plaintiffs' motion for summary judgment, not to exceed
16 40 pages, no later than December 11, 2024;
- 17 3. Plaintiffs will file their combined reply in support of their motion for
18 summary judgment and opposition to Defendants' motion for summary
19 judgment, not to exceed 35 pages, no later than January 29, 2025;
- 20

1 4. Defendants will file their reply in support of their motion for summary
2 judgment, not to exceed 20 pages, no later than March 12, 2025;

3 5. The parties shall jointly prepare, and Plaintiffs shall file, a joint appendix
4 containing portions of the administrative record cited in the parties' briefs
5 no later than March 26, 2025;

6 The District Court Executive is directed to enter this Order and furnish
7 copies to counsel, including those attorneys who have not signed up for electronic
8 filing and service.

9 DATED November 25, 2024.



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Thomas O. Rice
THOMAS O. RICE
United States District Judge