

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION**

STATE OF FLORIDA,

Plaintiff,

v.

No. 8:21-cv-2524-SDM-TGW

BILL NELSON, et al.,

Defendants.

_____/

**JOINT MOTION TO MODIFY BRIEFING SCHEDULE
AND FOR FLORIDA TO FILE AN AMENDED COMPLAINT**

On November 8, 2021, this Court entered a briefing schedule for Florida's motion for preliminary injunction, Doc. 10, and scheduled a hearing for December 7. *See* Doc. 17.

On November 10, Defendant OMB announced a new determination to be published in the Federal Register,¹ which, in the government's view, rescinds and replaces OMB's previous determination. It will be published in the Federal Register on November 16. Florida plans to challenge this new notice.

In light of this development, the parties have conferred and jointly request that the Court approve the following modifications to the Court's schedule:

¹ *See* <https://www.federalregister.gov/public-inspection/2021-24949/determination-regarding-the-revised-safer-federal-workforce-task-force-guidance-for-federal>.

- The government's response to Florida's motion for preliminary injunction, Doc. 10, will still be due on Wednesday, November 17.
- Florida's reply brief will still be due on Monday, November 29. But Florida will file an amended complaint no later than that date, and Florida's reply brief will also serve as an amendment to Florida's motion for preliminary injunction pursuant to Local Rule 6.02(d). Because Florida will brief additional issues raised by OMB's latest actions, Florida requests an enlargement of pages to 25 pages. The government consents.
- The government will file a surreply on Friday, December 3, limited to responding to issues that Florida raises with respect to OMB's latest actions. The government requests 15 pages. Florida consents.
- The hearing will be held on December 7 as planned.

Local Rule 3.01(g) Certification

The parties have conferred and all parties consent.

Respectfully submitted,

Ashley Moody
ATTORNEY GENERAL

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was filed with the Court's CM/ECF system, which provides notice to all parties, on this 14th day of November, 2021.

/s/ James H. Percival
James H. Percival