IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF IOWA
CENTRAL DIVISION

THE ARC OF IOWA et al., Plaintiffs, v. KIM REYNOLDS, in her official capacity as Governor of Iowa, et al. Defendants.	Case No. 4:21-CV-00264-RP-SBJ **DEFENDANTS GOVERNOR KIM REYNOLDS AND ANN LEBO'S UNRESISTED MOTION TO STAY PROCEEDINGS**

COME NOW Defendants Governor Kim Reynolds and Ann Lebo (collectively, "the State") and move to stay these proceedings until the issuance of the mandate from the United States Court of Appeals for the Eighth Circuit in our pending interlocutory appeal. In support of this motion, the State pleads as follows:

1. The State has appealed this court's order granting Plaintiffs' motion for a preliminary injunction to the United States Court of Appeals for the Eighth Circuit.

2. Today, the Eighth Circuit granted the State's motion to expedite the appeal, setting an expedited briefing schedule and scheduling the case for oral argument in Omaha, Nebraska, the week of November 15, 2021. The State has also requested that the Eighth Circuit expedite issuance of its decision in the appeal.

3. Staying proceedings in this court—including holding in abeyance all deadlines, such as the deadline for defendants to answer or file a motion to dismiss under Rule 12(b)(6)—will conserve party resources while they focus on briefing and preparing for oral argument on the expedited schedule.

4. Staying the proceedings will also promote judicial economy because the Eighth Circuit's decision on the appeal may provide guidance to this Court and the parties that could affect the filing and consideration of motions to dismiss or other matters.

5. The State would propose staying proceedings in this Court and holding in abeyance all deadlines until the issuance of the mandate from the Eighth Circuit in the interlocutory appeal.

6. This stay of proceedings would not stay or otherwise affect the preliminary injunction already ordered by this Court.

7. Counsel for Plaintiffs have indicated that they do not object to this motion.

WHEREFORE, Defendants Governor Kim Reynolds and Ann Lebo request that this Court stay proceedings and hold all deadlines in abeyance until the issuance of the mandate from the Eighth Circuit.

Respectfully submitted,

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PROOF OF SERVICE

The undersigned certifies that the foregoing instrument was served upon all parties of record by delivery in the following manner on October 15, 2021:

☐ U.S. Mail	☐ Email
☐ Hand Delivery	☐ Overnight Courier
☐ Federal Express	☐ Other
☒ CM/ECF	

Signature: */s/ Samuel P. Langholz*