FILED
2023 Feb-01 PM 03:21
U.S. DISTRICT COURT
N.D. OF ALABAMA

**UNITED STATES DISTRICT COURT**
**NORTHERN DISTRICT OF ALABAMA**
**SOUTHERN DIVISION**

**DR. DAVID CALDERWOOD, *et al.*,**
Plaintiffs,
**v.**

**XAVIER BECERRA, SECRETARY OF THE U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES, *et al.*,**
Defendants.

**Case No. 2:21-cv-702-CLM**

**ORDER**

The court dismissed the plaintiffs' operative amended complaint for lack of subject-matter jurisdiction on August 25, 2022. (Doc. 54). But the court dismissed that complaint without prejudice, allowing the plaintiffs to file a third amended complaint if "they can plausibly and in good faith allege a justiciable controversy." (Doc. 54). The plaintiffs have not filed a third amended complaint. If the plaintiffs fail to file a third amended complaint on or before **February 10, 2023**, the court will dismiss the case with prejudice.

**DONE** and **ORDERED** on February 1, 2023.

**COREY L. MAZE**
UNITED STATES DISTRICT JUDGE