

In the United States Court of Federal Claims

No. 24-365

(Filed: April 29, 2024)

AIRBOSS DEFENSE GROUP, LLC,

Plaintiff,

and

STRING KING LACROSSE LLC,

Plaintiff-Intervenor,

v.

UNITED STATES,

Defendant,

and

**NEW YORK EMBROIDERY
STUDIO, INC.**

Defendant-Intervenor.

ORDER

Before the court is defendant’s status report, which contains a motion asking the court to suspend future deadlines in this case. ECF No. 38. Specifically, defendant “proposes that the [c]ourt suspend the current schedule until HHS finalizes its corrective action,” to prevent the possibility of “premature adjudication” in this court. *Id.* at 2-3 (internal citation omitted). Moreover, defendant proposes to “file[] a status report in 90 days” from the date of this order “to apprise the [c]ourt of whether HHS has completed its corrective action.” *Id.* at 4.

Defendant represents that counsel for plaintiff-intervenor, String King Lacrosse LLC, “has represented that String King has no issue with the schedule proposed by the [g]overnment with respect to the corrective action, but requests the briefing schedule already approved by the [c]ourt continue as scheduled simultaneously including the production of an administrative record.” *Id.* Counsel for plaintiff, AirBoss Defense Group, LLC, represents that “AirBoss joins String King’s request that the briefing schedule already approved by the [c]ourt continue as

scheduled.” *Id.* Defendant represents that counsel for defendant-intervenor had not responded as of the time of defendant’s filing. *Id.* Having considered both proposals as to how this case should proceed, the court concurs with defendant that suspension is necessary to avoid the potential for a premature proceeding in this court.

For good cause shown, defendant’s motion to suspend is GRANTED. The court will temporarily suspend its proceedings in this case pending HHS’s corrective action. Defendant is DIRECTED to file a status report by July 29, 2024, to apprise the court of the status of the corrective action.

It is so **ORDERED**.

s/ Charles F. Lettow

Charles F. Lettow

Senior Judge