

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

DR. JAMES L. SHERLEY, et al.)	
)	
Plaintiffs,)	Civil Action No. 1:09-cv-01575 (RCL)
)	
v.)	
)	
KATHLEEN SEBELIUS, et al.)	
)	
Defendants.)	
)	

JOINT MOTION FOR LEAVE TO SET BRIEFING SCHEDULE

After meeting and conferring on August 26, 2009, the parties have agreed, subject to court approval, to a briefing schedule that would provide additional time necessary to respond to the issues raised by the plaintiffs' Motions for Preliminary Injunction and Appointment of Guardian ad Litem. The proposed briefing schedule on these Motions is set forth below:

Opposition Briefs	September 14, 2009
Reply Briefs	September 28, 2009

The plaintiffs also request that, if it suits the Court's schedule, a hearing be set in this matter during the week of October 12, 2009. The NIH has stated that, in light of the timing for establishing certain implementation procedures, no researcher will be permitted to expend NIH grant funds on new research involving human embryonic stem cell lines prior to October 15, 2009. The defendants take no position on the timing of, or the need for, a hearing on the Motions.

The parties respectfully request that this briefing schedule, as set forth in the

accompanying Proposed Order, be approved by the Court.

Respectfully Submitted,

/s/ Bradley J. Lingo

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CERTIFICATE OF SERVICE

I hereby certify that on August 27, 2009, I caused a true and correct copy of the foregoing Motion and accompanying Proposed Order to be served on Plaintiffs' counsel electronically by means of the Court's ECF system.

/s/ Eric R. Womack
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