

United States District Court

CIVIL MINUTES - GENERAL

Time Commenced: 9:01 amCase # 3:10cv91-RVTime Concluded: 11:31 amDate Tuesday, September 14, 2010

DOCKET ENTRY: Oral argument as to Defendants' Motion to Dismiss. Plaintiffs' Exhibit 1 admitted (see attached).

PRESENT: HONORABLE ROGER VINSON, SENIOR JUDGE

Jean Davis
Deputy ClerkDonna Boland
Court Reporter

State of Florida, et al.

Plaintiffs

Arguing: David Rivkin and Blaine H. Winship

U.S. Dept of Health and Human Services, et al.

Defendants

Arguing: Ian Gershengorn

PROCEEDINGS:

9:01 am Court in session
Court addresses parties

9:02 am Counsels make appearances

9:05 am Court addresses procedural and technical issues

9:07 am Defense oral argument

9:45 am Defense reserves balance of time for rebuttal

9:46 am Plaintiff oral argument (Winship)

10:06 am Proceedings interrupted by power outage

10:10 am Proceedings continue after restoration of power

10:11 am Plaintiff oral argument (Rivkin)

10:30 am Plaintiff oral argument (Winship)

10:41 am Court grants Plaintiffs additional time to address Count 6
Plaintiffs continue argument as to Count 6 (Winship)

10:44 am Court requests additional comment on Count 2
Plaintiffs (Winship) move for admission of power point
Defendants objects to admission; overruled; admitted as Plaintiffs' Exhibit 1

10:46 am Plaintiffs continue argument as to Count 2 (Rivkin)

10:49 am Defense rebuttal

11:02 am Court makes inquiry as to standing issue based on state statute
Defendants respond

11:05 am Court thanks counsel for oral argument and briefing

11:06 am Plaintiffs (Winship) raise scheduling issue

11:10 am Defendants respond

11:14 am Court addresses scheduling issue: Court to issue order in 30 days (by October 14th); Filings related to summary judgment due thereafter.

11:15 am Court in recess to consult calendar (to return at 11:25 a.m.)

11:24 am Court in session
Scheduling of argument and hearing for Summary Judgment discussed.
Arguments and hearing to be set for Thursday, December 16, 2010
Motions for Summary Judgment to be filed 21 days after entry of Order on Motion to Dismiss (11/4/2010);
Response in opposition due 21 days later (11/23/2010);
Reply brief due 10 days later - plus additional weekend (12/6/2010)

11:31 am Court adjourned

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September 14, 2010
Initials of Deputy Clerk: jmd