

U.S. Department of Justice



*United States Attorney
Southern District of New York*

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86 Chambers Street
New York, New York 10007

May 6, 2022

BY ECF

Honorable Lewis A. Kaplan
Daniel Patrick Moynihan
United States Courthouse
500 Pearl St.
New York, NY 10007-1312

Re: *MAZON: A Jewish Response to Hunger, et al., v. U.S. Dep't of Health and Human Services, et al.*, 21 Civ. 475 (LAK)

Dear Judge Kaplan:

This Office represents the defendant federal agencies and government officials sued in their official capacities (together, the “government”) in this action. I write jointly with the plaintiffs’ counsel to respectfully request that the existing stay of all proceedings, *see* ECF No. 72, be extended from May 6, 2022 through September 30, 2022, to allow the government to continue its consideration of whether to revise the rule challenged in this action.

As noted in the parties’ October 15, 2021 joint application for a stay (and prior letters), the government is currently engaged in an interagency process to consider possible revision of the rule challenged in this litigation. Since October, the government has continued to consider possible revisions to the challenged rule. The agencies involved currently anticipate publishing a notice of proposed rulemaking during the summer of 2022.

In light of this ongoing consideration, the parties respectfully request the Court stay this action—including all briefing dates, as reflected in the operative scheduling order, ECF No. 68—through and including September 30, 2022. The parties further propose that they file a status report by the same date that proposes any next steps in the litigation, including, if necessary, a revised briefing schedule on any dispositive motions.

Booted

SO ORDERED

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LEWIS A. KAPLAN, U.S. DISTRICT JUDGE
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We thank the Court for its attention to this matter.

Respectfully submitted,

DAMIAN WILLIAMS
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