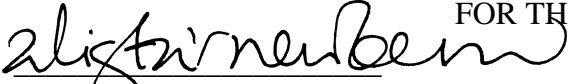


The stay imposed by this Court's Administrative Order No. 82-Supplemental was entered at the request of the United States Attorney for the Middle District of Tennessee and "with the intent to avoid any default or prejudice to the United States or other civil litigants occasioned by the lapse in funding." Because the parties jointly request a waiver of that stay in this case, the Court finds that an exception is warranted and not inconsistent with the Order's goals. The motion is therefore GRANTED.

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF TENNESSEE  
NORTHEASTERN DIVISION



Alistair E. Newbern  
U.S. Magistrate Judge

UNITED STATES OF AMERICA, *et al.*, )  
*ex rel.* DEBRA NORRIS, )

Plaintiffs, )

v. )

DAVID FLORENCE, )

Defendant. )

Civil Action No.: 2:13-cv-00035  
CHIEF JUDGE CRENSHAW  
MAGISTRATE JUDGE NEWBERN

**JOINT MOTION TO UNSTAY THIS ACTION**

The parties respectfully move the Court to unstay this action. As cause for the motion, the parties state as follows:

1. This Court previously ordered Defendant Florence to produce requested patient files by January 18, 2019. Doc. No. 196.

2. In December 2018, the parties agreed that the United States could depose two current employees of Florence on January 18, 2019. These two depositions had already been rescheduled once before.

3. Around this same period, defense counsel asked the United States to schedule eight witnesses for depositions. The parties are working together to schedule these depositions during February 2019.

4. The United States' counsel on this matter has not been furloughed during the government shutdown, because her salary comes from a funding source that has not lapsed.

5. On January 11, 2019, this Court ordered that all civil litigation is stayed for a period of time. Doc. No. 197.

6. The parties wish to continue to proceed with fact discovery as originally planned to move this case forward.

Therefore, the parties ask the Court to lift the stay in this particular case so that the parties can proceed with fact discovery as they originally contemplated and move discovery forward.

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Middle District of Tennessee

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**CERTIFICATE OF SERVICE**

I certify that a copy of the foregoing was served on January 17, 2019, by electronic means via the Court's electronic filing system, to the following:

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