

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

)	
UNITED STATES HOUSE OF REPRESENTATIVES,)	
)	
Plaintiff,)	
)	
v.)	Case No. 14-cv-01967-RMC
)	
SYLVIA MATHEWS BURWELL,)	
in her official capacity as Secretary of the United States)	
Department of Health and Human Services, et al.,)	
)	
Defendants.)	
)	

PLAINTIFF’S UNOPPOSED REQUEST FOR ORAL ARGUMENT

Plaintiff United States House of Representatives (“House”) respectfully requests that the Court schedule oral argument on Defendants’ Motion to Dismiss the Complaint (Jan. 26, 2015) (ECF No. 20) (“Motion”).¹

While the issues raised in the Motion have been briefed by both parties, *see* Opp’n of the [House] to Def.’s Mot. to Dismiss the Compl. (Feb. 27, 2015) (ECF No. 22) (“Opposition”); Def.’s Reply Mem. in Supp. of Their Mot. to Dismiss the Compl. (Mar. 31, 2015) (ECF No. 26) (“Reply”), the House believes oral argument is appropriate in this case because of the far-reaching ramifications of the jurisdictional arguments raised in the Motion, as well as the importance of the underlying issues raised in its Complaint (Nov. 21, 2014) (ECF No. 1).

Moreover, a hearing would be helpful to the Court because it would enable the Court to consider the House’s responses to arguments made in the Reply (some of which are not addressed in the House’s Opposition because they were not made in the Motion, and

¹ Neither party previously has articulated a position on the propriety or advisability of oral argument on the Motion.

others of which are predicated on a Supreme Court opinion issued on March 31, 2015, *after* the House filed its Opposition. *See* Reply at 18-19 (citing *Armstrong v. Exceptional Child Ctr., Inc.*, 135 S. Ct. 1378 (2015)).

We have conferred with Joel McElvain, counsel for the defendants, who advised as follows: “The defendants believe that the arguments relating to their motion to dismiss have been fully set forth in the briefing, but if the Court believes that oral argument would be helpful, the defendants have no objection.”

Respectfully submitted,

/s/ Jonathan Turley

JONATHAN TURLEY

D.C. Bar No. 417674

2000 H Street, N.W.
Washington, D.C. 20052
(202) 285-8163
jturley@law.gwu.edu

KERRY W. KIRCHER, General Counsel
D.C. Bar No. 386816
WILLIAM PITTARD, Deputy General Counsel
D.C. Bar No. 482949
TODD B. TATELMAN, Senior Assistant Counsel
ELENI M. ROUMEL, Assistant Counsel
ISAAC B. ROSENBERG, Assistant Counsel
D.C. Bar No. 998900
KIMBERLY HAMM, Assistant Counsel
D.C. Bar No. 1020989

OFFICE OF GENERAL COUNSEL
U.S. HOUSE OF REPRESENTATIVES
219 Cannon House Office Building
Washington, D.C. 20515
(202) 225-9700 (telephone)

Counsel for Plaintiff U.S. House of Representatives

April 13, 2015

CERTIFICATE OF SERVICE

I certify that on April 13, 2015, I served one copy of the foregoing Plaintiff's Unopposed Request for Oral Argument via CM/ECF on all registered parties.

/s/ Kyle Jones
Kyle Jones