

No. 14-1158

**IN THE UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT**

DAVID KING, ET AL.,

Appellants,

v.

KATHLEEN SEBELIUS,
SECRETARY OF HEALTH AND HUMAN SERVICES, ET AL.,

Appellees.

ON APPEAL FROM THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF VIRGINIA (No. 3:13-CV-623 (JRS))

APPELLANTS' *UNOPPOSED* MOTION TO EXPEDITE

1. This case presents the same legal issue that is now pending before the D.C. Circuit in *Halbig v. Sebelius*, No. 14-5018 (D.C. Cir.): whether the Patient Protection and Affordable Care Act authorizes federal premium tax credits for individuals who purchase health insurance on federally-run health insurance Exchanges. In *Halbig*, the D.C. Circuit issued an expedited briefing schedule over the Government's opposition. *See* Exhibit A. Briefing in *Halbig* is complete and the D.C. Circuit will hear oral argument on March 25. *See* Exhibit B.

2. Appellants request expedition of this appeal for the same reasons that expedition was ordered in *Halbig*. See Exh. C; see also Exh. D. In light of the D.C. Circuit's order granting expedition in *Halbig*, the Government does not oppose expedition of this appeal. Moreover, the parties have agreed to the following proposed briefing schedule:

Appellants' Brief:	March 3, 2014
Amicus Briefs in Support of Appellants:	March 10, 2014
Appellees' Brief:	March 18, 2014
Amicus Briefs in Support of Appellees:	March 21, 2014, by noon
Appellants' Reply Brief:	March 25, 2014

The parties jointly request that paper copies of briefs be due within two business days of these due dates for ECF filing.

3. Appellants respectfully request the oral argument be heard on the first available argument date following the close of briefing. The Government does not oppose this request.

CONCLUSION

For the foregoing reasons, the Court should enter the expedited briefing schedule proposed above, and schedule oral argument on the first available date following the completion of briefing.

February 21, 2014

Respectfully submitted,

/s/ Michael A. Carvin

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CERTIFICATE OF SERVICE

I hereby certify that, on this 21st day of February 2014, I electronically filed the original of the foregoing document with the clerk of this Court by using the CM/ECF system. I certify that the participants in the case are registered CM/ECF users and that service will be accomplished by the appellate CM/ECF system.

February 21, 2014

/s/ Michael A. Carvin
MICHAEL A. CARVIN
Counsel for Appellants