

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF LOUISIANA
LAFAYETTE DIVISION**

STATE OF ARIZONA, *et al.*,

Plaintiffs,

v.

CENTERS FOR DISEASE CONTROL &
PREVENTION, *et al.*,

Defendants.

Civil Action No.: 6:22-cv-00885-RRS-CBW

Judge: Robert R. Summerhays

Magistrate Judge: Carol B. Whitehurst

**PROPOSED INTERVENOR’S EXPEDITED MOTION TO STAY
NATIONWIDE SCOPE OF PRELIMINARY INJUNCTION PENDING APPEAL**

Proposed Intervenor Innovation Law Lab respectfully requests that this Court issue an order staying pending appeal the portion of its Preliminary Injunction that applies nationwide, rather than only in the Plaintiff States. *See* ECF Nos. 90, 91. Should the Court deny this request, Proposed Intervenor intends to seek a stay from the Fifth Circuit. *See* Fed. R. App. P. 8(a)(1) (“A party must ordinarily move first in the district court[.]”). Proposed Intervenor’s motion is supported by the accompanying memorandum of law.

Additionally, Proposed Intervenor also requests that this Court set an expedited briefing schedule, if it is inclined to request further briefing, in order to prevent irreparable harm.

Proposed Intervenor has appealed this Court’s denial of its Motion for Limited Intervention, as well as the nationwide scope of the preliminary injunction. ECF No. 95; *see DeOtte v. State*, 20 F.4th 1055 (5th Cir. 2021). As explained in the accompanying Memorandum in Support of Proposed Intervenor’s Expedited Motion to Stay Nationwide Scope of Preliminary Injunction Pending Appeal, Proposed Intervenor respectfully contends that it is likely to succeed

on the merits of its claims that this Court erred in denying its motion to intervene and in issuing a preliminary injunction that is nationwide in scope. Additionally, Proposed Intervenor will suffer irreparable harm in the absence of a stay, a stay will not cause Plaintiff States substantial harm, and the public interest warrants a stay of the nationwide scope of the injunction pending appeal. For these reasons, this Court should grant this motion and stay pending appeal the nationwide scope of the preliminary injunction. *See Nken v. Holder*, 556 U.S. 418 (2009).

For the reasons stated above and in the accompanying memorandum, Proposed Intervenor Innovation Law Lab respectfully requests that this Court grant the motion and stay pending appeal the nationwide scope of the preliminary injunction.

Respectfully submitted,

Dated: May 26, 2022

/s/ Monika Y. Langarica

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