

**United States District Court
Northern District of Florida
Pensacola Division
CIVIL MINUTES - GENERAL**

Case # 3:10cv91/RV/EMT

Date April 14, 2010

DOCKET ENTRY: Rule 16 Scheduling Conference Hearing. Scheduling Order to be entered.

PRESENT: HONORABLE ROGER VINSON, SENIOR JUDGE

Jerry Marbut

Deputy Clerk

Donna Boland

Court Reporter

State of Florida et al. vs. United States Department of Health and Human Services et al.
Style of Case

Attorneys Present for Plaintiffs:

Blaine H. Winship, Esquire, Office of the Attorney General, State of Florida
Joseph W. Jacquot, Esquire, Office of the Attorney General, State of Florida
Chesterfield Smith, Jr., Esquire, Office of the Attorney General, State of Florida
David B. Rivkin, Jr., Esquire, Baker & Hostetler, Washington, D.C.

Attorneys Present for Defendants:

Ian Gershengorn, Deputy Assistant Attorney General, Civil Division, Department of Justice
Brian G. Kennedy, Department of Justice, Civil Division's Federal Programs Branch
Eric Beckenhauer, Department of Justice, Civil Division's Federal Programs Branch
Pamela Moine, Assistant United States Attorney, Pensacola, Florida

Appearing via Telephone Conference Call:

Peter Smyczek, Special Deputy Attorney General, State of Alabama
Joseph Canefield, Special Counsel to Governor Jan Brewer, State of Arizona
Scott Makar, Solicitor General, State of Florida
Dan Domenico, Solicitor General, State of Colorado
Tom Fisher, Solicitor General, State of Indiana
Eric Restuccia, Solicitor General, State of Michigan
Katherine Spohn, Special Counsel to the Attorney General, State of Nebraska
David Cookson, Chief Deputy Attorney General, State of Nebraska
Mark A. Hutchison, Special Counsel, State of Nevada
Jacob Reynolds, Special Counsel, State of Nevada
Bryan Sterling, Deputy Attorney General, State of South Carolina
Emory Smith, Assistant Deputy Attorney General, State of South Carolina
Marty J. Jackley, Attorney General, State of South Dakota
J. Bart Delone, Senior Deputy Attorney General, Commonwealth of Pennsylvania
Bill Cobb, Special Assistant and Senior Counsel to the Attorney General, State of Texas
John Swallow, Chief Deputy, State of Utah
Robert M. McKenna, Attorney General, State of Washington
Brian Moran, Chief Deputy Attorney General State of Washington

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PROCEEDINGS:

9:00am Court in session.
9:01am Court takes notice of counsel present for the record.
9:05am Court instructs counsel.
9:06am **Attorney Blaine H. Winship**, briefs the Court.
9:15am **Attorney Ian Gershengorn**, responds/briefs the Court.
9:26am **Court** responds.
9:28am **Attorney Blaine H. Winship**, responds.
9:31am **Attorney David B. Rivkin, Jr.** briefs the Court.
9:32am **Court** responds.
9:33am **Attorney David B. Rivkin, Jr.** responds.
9:35am **Attorney Ian Gershengorn** responds.
9:37am **Court** re: Scheduling dates. Motion to Dismiss to be heard on Tuesday, September 14, 2010 at 9:00 a.m.
9:45am **Court** re: Document page length of motions and memoranda.
9:50am **Court** inquires of counsel re: Motions to Intervene.
9:51am **Attorney Blaine H. Winship**, responds.
9:53am **Attorney Ian Gershengorn**, responds.
9:54am **Attorney Blaine H. Winship**, inquires of the Court.
9:55am **Court** responds.
9:56am **Court** re: Scheduling Order. **Attorney Blaine H. Winship** responds. Court re: Discovery deadline. **Attorney Ian Gershengorn and Attorney Blaine H. Winship** responds. Discovery deadline set for September 14, 2010. **Attorney Blaine H. Winship** responds.
9:59am **Court** re: motions.
10:00am **Court** to enter Scheduling Order.
10:02am Court in recess.

Filed in open Court

4/14/2010

Initials of Deputy Clerk s/JRM