

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA

JONATHAN PAUL BOYD,

Plaintiff,

v.

R. BOB MULLINS, JR., M.D.,
in his official capacity as Commissioner
of the Alabama Medicaid Agency,

Defendant.

Civil Action Number:

2:10-cv-00688-MEF-TFM

JOINT MOTION TO STAY LITIGATION

The Plaintiff Jonathan Paul Boyd and the Defendant R. Bob Mullins, Jr., M.D., in his official capacity as Commissioner of the Alabama Medicaid Agency, jointly move the Court to enter an order staying this litigation indefinitely and suspending all remaining scheduled dates and deadlines, including the deadline for expert reports, the deadline for filing potentially dispositive motions, the deadline for discovery, and the pretrial and trial dates. As grounds for this motion, the parties state the following:

1. Defendant has recently filed a motion for leave to amend his previous answer, asserting that the discovery of previously undisclosed assets has caused the Alabama Medicaid Agency to question the Plaintiff's past, present, and future eligibility for the Medicaid program. See doc. 49 and exhibits thereto.

2. Plaintiff acknowledges that the issue of his eligibility for the Medicaid program must be resolved, but does not concede that he is not now eligible for Medicaid benefits.

3. The parties agree that the interests of justice and judicial economy would be served by staying the present litigation while the issue of Plaintiff's past, present and future eligibility for Medicaid benefits is resolved through appropriate state proceedings.

Respectfully submitted,

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CERTIFICATE OF SERVICE

This is to certify that on the 1st day of April, 2011, a copy of the foregoing was electronically filed with the Clerk of the Court using the CM/ECF system, which will electronically send a copy of the same to the following who represent interested non-parties:

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