

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

_____)	
UNITED STATES OF AMERICA,)	
)	
and)	
)	
STATE OF NEW YORK,)	
)	
<i>Plaintiffs,</i>)	
v.)	Civil Action No.
)	12-cv-8989 (ALC) (GWG)
)	
TWIN AMERICA, LLC, et al.)	ECF CASE
)	
<i>Defendants.</i>)	
_____)	

**PLAINTIFF UNITED STATES’S UNOPPOSED MOTION TO LIFT
STAY IN LIGHT OF RESTORATION OF FEDERAL
APPROPRIATIONS AND ENTER AMENDED SCHEDULING ORDER**

Plaintiff United States of America, by its undersigned counsel, hereby moves on consent of all parties to lift the stay of the proceedings in the above-captioned case and enter the amended scheduling order attached hereto resetting deadlines in this case to reflect the stay.

1. At the end of the day on September 30, 2013, the appropriations act that had been funding the Department of Justice expired and appropriations to the Department lapsed. On October 1, 2013, Plaintiff United States filed an Unopposed Motion For Stay In Light Of Lapse Of Federal Appropriations (Document No. 36) requesting a stay of all proceedings in this case until funding was restored and Department of Justice attorneys were permitted to resume their usual civil litigation functions.

2. On October 2, 2013, the Court entered an Order (Document No. 38) granting Plaintiff United States's unopposed motion and staying all proceedings in this case.

3. On October 17, 2013, the President signed a continuing resolution restoring funding for the Department of Justice and permitting Department of Justice attorneys to resume their usual civil litigation functions. As required by the Court's October 2, 2013 Order, Plaintiff United States hereby notifies the Court of the restoration of funding and requests that the Court lift the stay entered in this action. A proposed order lifting the stay is attached as Attachment 1.

4. As provided by the Court's October 2, 2013 Order, Plaintiff United States conferred with all other parties in this action on October 17, 2013, and agreed to revised deadlines that account for the delay caused by the stay. A proposed amended scheduling order reflecting these deadlines is attached hereto as Attachment 2.

Dated: October 18, 2013

Respectfully submitted,

/s
Sarah Wagner
U.S. Department of Justice
Antitrust Division
Transportation, Energy & Agriculture Section
450 Fifth Street, NW, Suite 8000
Washington, DC 20530
(202) 305-8915
sarah.wagner@usdoj.gov
For Plaintiff United States