

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

STATE OF SOUTH CAROLINA,)	
)	
Appellant,)	
)	
v.)	19-2324
)	
THE UNITED STATES,)	
)	
Appellee.)	
)	

JOINT MOTION TO STAY PROCEEDINGS

Appellant, the State of South Carolina, and appellee the United States, respectfully submit this motion to stay proceedings for a period of 32 days, to and including August 31, 2020. This matter was argued and submitted to the Panel on May 5, 2020. The parties request this stay because they have entered into settlement negotiations that may resolve the parties’ dispute and obviate the need for the Court to issue a decision. Thus, the parties respectfully request that the Court stay any issuance of an opinion and order in this appeal.

As the Supreme Court has held, the “power to stay proceedings is incidental to the power inherent in every court to control the disposition of the causes on its docket with economy of time and effort for itself, for counsel, and for litigants.” *Landis v. North Am. Co.*, 299 U.S. 248, 254 (1936). The Court’s rules contemplate

and encourage the parties to negotiate settlement of their disputes, “including after oral argument but before decision.” Fed. Cir. Rule 33(b).

The parties have entered into good faith settlement negotiations to resolve a number of their disputes, including the issue presented on appeal: South Carolina’s entitlement to economic and impact assistance payments under 50 U.S.C. § 2566(d)(1). If those negotiations are successful, a resulting settlement would moot South Carolina’s present appeal. The interests of efficiency, judicial economy and conservation of litigant resources will be served by granting the parties this short stay.

For these reasons, the parties respectfully request that the Court stay this matter for 32 days, to and including August 31, 2020. The parties will submit a joint status report no later than August 31, 2020, informing the Court if they have resolved this matter.

Respectfully submitted,

/s/Randolph R. Lowell

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July 30, 2020

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July 30, 2020

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CERTIFICATE OF COMPLIANCE

Pursuant to Rule 27(d)(2)(A) of the Rules of the United States Court of Appeals for the Federal Circuit, respondent's counsel certifies that this motion complies with the Court's type-volume limitation rules. According to the word count calculated by the word processing system with which this motion was prepared, the motion contains a total of 290 words.

/s/ Tara K. Hogan

CERTIFICATE OF SERVICE

I hereby certify under penalty of perjury that on this 30th day of July, 2020, a copy of the foregoing JOINT MOTION TO STAY PROCEEDINGS was filed electronically.

X This filing was served electronically to all parties by operation of the Court's electronic filing system.

/s/Tara K. Hogan