

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

HEALTH FREEDOM DEFENSE) Case No. 8:21-cv-02679-MSS-JSS
FUND, a Wyoming Not-for-Profit)
Corporation, FEDERAL) **REQUEST FOR RULING ON**
EMPLOYEES FOR FREEDOM, a) **JOINT MOTION TO TRANSFER**
voluntary unincorporated association,)
RAYLENE WORLEY, an individual,)
CHRISTOPHER M. WALSH, an)
individual, CHARLES MATTHEW)
CONROY, an individual, JUSTIN)
AARON CURTIS, an individual,)
KIMBERLY KESSEL ELSHOLZ,)
an individual, and JOSEPH AARON)
WILLIAMS, an individual,)
)
Plaintiffs,)
)
v.)
)
JOSEPH R. BIDEN, in his official)
capacity as President of the United)
States; SAFER FEDERAL)
WORKFORCE TASK FORCE;)
KIRAN AHUJA in her official)
capacity as co-chair of the Safer)
Federal Workforce Task Force and)
the director of the Office of Personnel)
Management; ROBIN CARNAHAN)
in her official capacity as co-chair of)
the Safer Federal Workforce Task)
Force and Administrator of the)
General Services Administration;)
JEFFREY ZIENTS in his official)
capacity as a co-chair of the Safer)

Federal Workforce Task Force and)
COVID-19 Response Coordinator;)
MERRICK B. GARLAND in his)
official capacity as Attorney General;)
DEPARTMENT OF JUSTICE;)
PETE BUTTIGIEG in his official)
capacity as Secretary of)
Transportation; U.S. DEPARTMENT)
OF TRANSPORTATION; LLOYD)
J. AUSTIN in his official capacity as)
Secretary of Defense;)
DEPARTMENT OF DEFENSE;)
ALEJANDRO MAYORKAS in his)
official capacity as Secretary of the)
Department of Homeland Security;)
and DEPARTMENT OF)
HOMELAND SECURITY.)
)
Defendants.)

REQUEST FOR RULING ON JOINT MOTION TO TRANSFER

On February 14, 2022, the Parties filed a Joint Motion to Transfer (“Transfer Motion”) pursuant to Local Rule 1.07(a)(2)(B). (Doc. 26) The purpose of the Transfer Motion was to cause this action to be consolidated with the earliest filed related case – *State Dept. Employee # 1 et al. v. Austin et al.*, No. 8:22-cv-364-SDM-TW – challenging Executive Order 14043 (“Employee Vaccination Requirement”) pending before the U.S. District Judge Steven D. Merryday. The motion was joint and is therefore unopposed and supported by all parties to the case.

Thereafter, on March 9, 2022, Defendants' filed Motion to Dismiss. (Doc. 33) The response to Defendants' Motion to Dismiss is due on or before March 30th. Plaintiffs' therefore respectfully request that the Court rule on the pending Transfer Motion in the interests of efficiency and consistency before substantive litigation on the merits of the Employee Vaccination Requirement is undertaken in this action.

As set forth more fully in the Motion to Transfer, the claims, legal issues, and several of the defendants in this action and *State Dept. Employee # 1* are the same or similar, such that the assignment to different judges creates a probability of inefficiency or inconsistency. Wherefore, Plaintiffs' respectfully request that the Court rule on the pending Motion to Transfer in the interests of judicial economy and to avoid any inefficiency or inconsistency.

/s/ John W. Howard
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