

**IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF FLORIDA
TALLAHASSEE DIVISION**

**FLORIDA CHAPTER OF AMERICAN
ACADEMY OF PEDIATRICS, INC.,**

Plaintiff,

v.

Case No. 4:23-cv-174-AW-MAF

**RANDY FINE, in his capacity as Chair,
Health & Human Services Committee,
Florida Legislature,**

Defendant.

ORDER SETTING HEARING AND REQUIRING SERVICE

Plaintiff Florida Chapter of American Academy of Pediatrics (AAP) sued Randy Fine, in his capacity as Chair of the Florida Legislature’s Health and Human Services Committee. ECF No. 1. AAP seeks to quash a subpoena the Legislature issued. AAP filed yesterday an emergency motion for preliminary injunction, noting that the subpoena called for responses by this Thursday. The complaint and motion were originally misfiled in another case. But the error was remedied today, and the matter was assigned to this court late this morning.

The parties must immediately confer regarding appropriate procedures for resolving the emergency motion in a timely manner. They should address—among other things—an appropriate briefing schedule, whether there are disputed facts that require resolution, whether an evidentiary hearing is necessary, and whether the

subpoena response deadline should be altered to allow for a more orderly resolution of the motion.

The court will hold a telephonic hearing tomorrow (Wednesday) at 10:30 a.m. to address those procedures. The clerk will post call-in information on the docket.

AAP must immediately serve a copy of this order, the call-in information that will follow, the complaint, and the emergency motion on the Defendant. AAP must then file a certificate of service indicating this is done. The service must be by hand delivery and email to the House's general counsel and to Representative Fine.

AAP must also file a copy of the subpoena at issue.

SO ORDERED on May 2, 2023.

s/ Allen Winsor

United States District Judge