

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF FLORIDA**

NORWEGIAN CRUISE LINE HOLDINGS LTD., a Bermuda Company; **NCL (BAHAMAS) LTD.**, d/b/a NORWEGIAN CRUISE LINE, a Bermuda Company; **SEVEN SEAS CRUISES S. DE R.L.**, d/b/a REGENT SEVEN SEAS CRUISES, a Panama Limited Liability Company; **OCEANIA CRUISES S. DE R.L.**, d/b/a OCEANIA CRUISES, a Panama Limited Liability Company;

Plaintiffs,

v.

SCOTT A. RIVKEES, M.D., State Surgeon General and Head of the Florida Department of Health, in his official capacity;

Defendant.

Case No. 1:21-cv-22492-KMW

**PLAINTIFFS' MOTION FOR STATUS CONFERENCE REGARDING SCHEDULE ON
EXPEDITED MOTION FOR A PRELIMINARY INJUNCTION**

Plaintiffs Norwegian Cruise Line Holdings Ltd., NCL (Bahamas) Ltd., Seven Seas Cruises S. de R.L., and Oceania Cruises S. de R.L. (together, "NCLH") respectfully request a status conference to determine the briefing schedule and hearing date for NCLH's Expedited Motion for a Preliminary Injunction ("Expedited Motion").

Even before filing its Complaint yesterday morning, NCLH has diligently kept the State of Florida's officers and legal counsel apprised of its legal submissions to this Court and its accompanying need for preliminary relief by August 6, 2021, so the Norwegian Gem's forthcoming voyage from Miami, Florida on August 15, 2021 may proceed as planned. Early yesterday morning, at 8:38 am Eastern, before the Complaint and Expedited Motion were filed, NCLH's counsel emailed to provide a courtesy heads-up and initiate constructive engagement, including about a proposed schedule, specifically with Jason Hilborn, Florida's Assistant Solicitor General, and James Percival, Florida's Chief Deputy Solicitor General, who are responsible for handling parallel litigation between the State and CDC over the federal framework governing cruise operations. Once the Complaint and Expedited Motion were filed, NCLH broadened its efforts at engagement and dialogue to include contact with James Uthmeier, General Counsel to

Florida Governor Ron DeSantis; and Louise St. Laurent, General Counsel for the Florida Department of Health, providing courtesy PDFs of its submissions and trying to initiate a discussion about an appropriate schedule. *See* Ex. 1. To date, NCLH's best efforts have not yielded any proposed schedule, nor even a meet and confer.

To ensure that there is adequate time to brief and argue NCLH's Expedited Motion before August 6, 2021, and in light of the parties' inability to reach any agreement on scheduling, NCLH respectfully requests that this Court convene a status conference at its earliest convenience.

CERTIFICATE OF GOOD FAITH CONFERENCE

Pursuant to Local Rule 7.1(a)(3), undersigned counsel certifies that they attempted to confer with counsel for Defendant by email on July 14, 2021 at 5:49 p.m. EDT regarding the relief requested in this Motion, but were unable to do so, as counsel for Defendant has not responded. *See* Ex. 2.

DATED: July 14, 2021

Respectfully submitted,

QUINN EMANUEL URQUHART & SULLIVAN LLP

By /s/ John F. O'Sullivan

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*Applications for admission *pro hac vice* filed

Attorneys for Plaintiffs Norwegian Cruise Line Holdings Ltd., NCL (Bahamas) Ltd., Seven Seas Cruises S. de R.L., and Oceania Cruises S. de R.L.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 14th day of July 2021, the foregoing document was electronically filed with the Clerk of Court using CM/ECF. I also certify that the foregoing document is being served this day on the party identified below, either via transmission of Notice of Electronic Filing generated by CM/ECF or in some other authorized manner for those counsel or parties who are not authorized to receive electronic Notices of Electronic Filing.

VIA EMAIL & U.S. MAIL

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