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8  
 9 IN THE UNITED STATES DISTRICT COURT  
 10 FOR THE NORTHERN DISTRICT OF CALIFORNIA

<p>12 <b>THE STATE OF CALIFORNIA, et al.,</b>          13          Plaintiffs,          14          v.          15  <b>DONALD J. TRUMP, President of the</b>  <b>United States, et al.,</b>          16          Defendants.          17          18</p>	<p>3:17-cv-05895-VC  <b>JOINT NOTICE</b></p>
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 20 Pursuant to this Court’s November 21, 2017 Order, the parties respectfully submit the  
 21 following Joint Notice advising the Court of developments in *United States House of*  
 22 *Representatives v. Azar*, No. 14-cv-01967-RMC (D.D.C.), appeal No. 16-5202 (D.C. Cir.). On  
 23 May 16, 2018, the D.C. Circuit issued a per curiam order granting the parties’ joint motion to  
 24 dismiss and remand the case to the district court to enter a ruling on the parties’ requested relief  
 25 under Fed. R. Civ. P. 60(b). The D.C. Circuit issued the mandate that same day.

26 On May 18, 2018, the district court issued an order granting the partial vacatur that the  
 27 parties agreed to under the settlement agreement. The district court’s order specifically provides  
 28 that “the portion of this Court’s final Order dated May 12, 2016, Dkt. 74, providing that

1 ‘reimbursements paid to issuers of qualified health plans for the cost-sharing reductions mandated  
2 by Section 1402 of the Affordable Care Act, Pub. L. 111-148, are ENJOINED pending an  
3 appropriation for such payments,’ is VACATED.” The district court also declared that “[t]his  
4 case is closed.” Copies of both Orders are attached.

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1 Dated: May 23, 2018

Respectfully submitted,

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**LOCAL RULE 5-1(i) ATTESTATION**

I attest that I have obtained Steven A. Myers’s concurrence in the filing of this document.

/s/ Nimrod P. Elias  
NIMROD P. ELIAS

**United States Court of Appeals**  
FOR THE DISTRICT OF COLUMBIA CIRCUIT

**No. 16-5202**

**September Term, 2017**

**1:14-cv-01967-RMC**

**Filed On: May 16, 2018**

United States House of Representatives,

Appellee

v.

Alex Michael Azar, II, in his official capacity  
as Secretary of the United States Department  
of Health and Human Services, et al.,

Appellants  
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District of Columbia, et al.,  
Intervenors

**BEFORE:** Griffith, Millett, and Pillard, Circuit Judges

**ORDER**

Upon consideration of the joint motion to dismiss and remand and the supplement thereto, it is

**ORDERED** that the motion be granted. The appeal is hereby dismissed and the case remanded to the district court to enable it to enter a ruling on the parties' motion for relief under Fed. R. Civ. P. 60(b), which the district court has expressed its willingness to do. See Fed. R. App. P. 12.1; D.C. Circuit Rule 41(b).

Pursuant to D.C. Circuit Rule 36, this disposition will not be published. The Clerk is directed to issue the mandate forthwith to the district court.

**Per Curiam**

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

_____	)	
UNITED STATES HOUSE OF	)	
REPRESENTATIVES,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Civil Action No. 14-1967 (RMC)
	)	
ALEX M. AZAR, II, in his official	)	
capacity as Secretary of Health and	)	
Human Services, <i>et al.</i> ,	)	
	)	
Defendants.	)	
_____	)	

**ORDER**

Pursuant to the parties’ joint motion upon settlement of this matter, Dkt. 83, and the Mandate of the U.S. Court of Appeals for the D.C. Circuit, Dkt. 87, it is hereby

**ORDERED** that the portion of this Court’s final Order dated May 12, 2016, Dkt. 74, providing that “reimbursements paid to issuers of qualified health plans for the cost-sharing reductions mandated by Section 1402 of the Affordable Care Act, Pub. L. 111-148, are ENJOINED pending an appropriation for such payments,” is **VACATED**.

**SO ORDERED.** This case is closed.

Date: May 18, 2018

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/s/  
ROSEMARY M. COLLYER  
United States District Judge