

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Jul 08, 2019

SEAN F. McAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

STATE OF WASHINGTON,

Plaintiff,

v.

ALEX M. AZAR II, in his official capacity

as Secretary of the United States

Department of Health and Human

Services; and UNITED STATES

DEPARTMENT OF HEALTH AND

HUMAN SERVICES,

Defendants.

No. 2:19-cv-00183-SAB

**ORDER POSTPONING RULE’S
EFFECTIVE DATE; HOLDING
PLAINTIFF’S MOTION FOR
PRELIMINARY INJUNCTION
IN ABEYANCE**

Before the Court is the parties’ Stipulated Request for an Order to Postpone Rule’s Effective Date; Hold Plaintiff’s Motion For Preliminary Injunction in Abeyance, ECF No. 27. The Court considered the parties’ request without oral argument.

The parties ask the Court to issue an order, pursuant to 5 U.S.C. § 705, that postpones the effective date of the Final Rule until November 22, 2019, at noon PST. They also ask that the Court hold Plaintiff’s Motion for Preliminary

1 Injunction, ECF No. 8, in abeyance and vacate the briefing schedule set forth in
2 its June 26, 2019 Order, ECF No. 21. Good cause exists to grant the request.

3 Accordingly, **IT IS HEREBY ORDERED:**

4 1. The parties' Stipulated Request for an Order to Postpone Rule's
5 Effective Date; Hold Plaintiff's Motion for Preliminary Injunction in Abeyance,
6 ECF No. 27, is **GRANTED**.

7 2. The effective date of the Final Rule¹ is postponed until **November 22,**
8 **2019, noon PST.**

9 3. The briefing schedule set forth in the Court's June 26, 2019 Order,
10 ECF No. 21, is **VACATED**.

11 4. The July 17, 2019 hearing on Plaintiff's Motion for Preliminary
12 Injunction, ECF No. 8, is **STRICKEN**.

13 5. The Court holds Plaintiff's Motion for Preliminary Injunction, ECF
14 No. 8, in **ABEYANCE**.

15 6. On or before **July 12, 2019**, the parties are directed to file a Joint
16 Status Report addressing the schedule in this case going forward.

17 **IT IS SO ORDERED.** The Clerk of Court is directed to enter this Order
18 and forward copies to counsel.

19 **DATED** this 8th day of July 2019.



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A handwritten signature in blue ink that reads "Stanley A. Bastian".

25 Stanley A. Bastian
26 United States District Judge

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¹ *Protecting Statutory Conscience Rights in Health Care; Delegations of Authority*, 84 Fed. Reg. 23170 (May 21, 2019) (Final Rule).