

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

Mar 03, 2020

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; UNITED STATES

DEPARTMENT OF HEALTH AND

HUMAN SERVICES; SEEMA VERMA,

in her official capacity as Administrator of

the Centers for Medicare and Medicaid

Services; and CENTERS FOR

MEDICARE AND MEDICAID

SERVICES,

Defendants.

No. 2:20-CV-00047-SAB

**ORDER SETTING BRIEFING
SCHEDULE**

Before the Court is the parties' Joint Motion to Expedite and to Set a Briefing Schedule. ECF No. 4. Plaintiff is represented by Kristin Beneski and Laura K. Clinton. Defendants are represented by Bradley P. Humphreys.

The parties ask the Court to set a briefing schedule for anticipated

1 dispositive motions but disagree on whether to set a bifurcated schedule for the
2 anticipated summary judgment motions. Good cause exists to grant the motion
3 because it is more efficient to proceed on a determined briefing schedule to ensure
4 the just and speedy resolution of this case. After reviewing the parties' position, the
5 Court finds that the two-step process proposed by the State of Washington is better
6 suited for the issues at hand.

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

8 1. The parties' Joint Motion to Expedite and to Set a Briefing Schedule,
9 ECF No. 4, is **GRANTED**.

10 2. The following briefing schedule is imposed:

- 11 a. On or before **March 20, 2020**, Defendant shall file the certified
12 Administrative Record.
- 13 b. On or before **March 6, 2020**, Plaintiff shall file its Motion
14 for Partial Summary Judgment on Counts I and II.
- 15 c. On or before **March 20, 2020**, Defendants shall file its
16 Response to Plaintiff's Motion for Partial Summary
17 Judgment.
- 18 d. On or before **March 27, 2020**, Plaintiff shall file its Reply.
- 19 e. Plaintiff shall note the hearing on its Motion for Partial
20 Summary Judgment for **April 9, 2020**, at **9:00 a.m.** in
21 Spokane, Washington.
- 22 f. If applicable, Defendants shall file their Motion for
23 Summary Judgment on the Remaining Counts on or before
24 **April 17, 2020**.
- 25 g. Plaintiff shall file its Cross-Motion/Response on or before
26 **May 8, 2020**.
- 27 h. Defendants shall file their Response/Reply on or before
28 **May 22, 2020**.

- 1 i. Plaintiff shall file its Reply on or before **June 5, 2020**.
2 j. The parties should note the hearing on their Motions for
3 Summary Judgment for **June 18, 2020**, at **9:00 a.m.** in
4 Spokane, Washington.

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

7 **DATED** this 3rd day of March 2020.



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A handwritten signature in blue ink that reads "Stanley A. Bastian". The signature is written in a cursive style and is positioned to the right of the court seal.

13 Stanley A. Bastian
14 United States District Judge
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