IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF MONTANA MISSOULA DIVISION

MONTANA MEDICAL ASSOCIATION, et al.,

CV 21-108-M-DWM

Plaintiffs,

NOTICE

and

MONTANA NURSES ASSOCIATION,

Plaintiff-Intervenor,

VS.

AUSTIN KNUDSEN, et al.,

Defendants.

Pursuant to Federal Rule of Civil Procedure 65(a)(2), the Court is considering consolidating the March 3, 2022 hearing on All Plaintiffs' joint motion for a preliminary injunction with the trial on the merits.

Moreover, there do not seem to be any disputes of material facts concerning the question of preemption by the CMS Regulations on Claim VIII of the Plaintiffs' Second Amended Complaint and Claim VIII of the Plaintiff-

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Intervenor's Amended Complaint. Rather, the question seems to be purely legal.

See Fed. R. Civ. P. 56(f)(3).

DATED this <u>2</u> day of March, 2022.

Donald W. Molloy, District Judge

11:0714

United States District Court