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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

C. P., by and through his parents, Patricia Pritchard and Nolle Pritchard, individually and on behalf of others similarly situated; and PATRICIA PRITCHARD,

Plaintiff,

v.

BLUE CROSS BLUE SHIELD OF ILLINOIS,

Defendant.

CASE NO. 3:20-cv-06145-RJB

ORDER TO SHOW CAUSE

This matter comes before the Court on the Plaintiffs’ Motion for Classwide Declaratory and Permanent Injunctive Relief, and Award of Individual Nominal Damages to Named Plaintiffs (Dkt. 153) and Defendant Blue Cross Blue Shield of Illinois’s (“Blue Cross”) Motion to Decertify the Class (Dkt. 156). The Court has considered the pleadings filed regarding the motions and oral argument heard on 9 March 2023, and is fully advised.

Discussion of the January 26, 2023 Ninth Circuit Court of Appeals decision in *Wit v. United Behavioral Health*, 58 F.4th 1080 (9th Cir. 2023) occurred in both the parties’ briefing

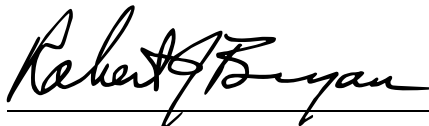
1 and at oral argument. On March 10, 2023, a Petition for Panel Rehearing and Petition for
2 Rehearing En Banc was filed in *Wit v. United Behavioral Health*, Ninth Circuit Court of Appeals
3 case number 20-17363, Dkt. 128.

4 The parties should be ordered to show cause, in writing, if any they have, why this case
5 should not be stayed until the Ninth Circuit determines whether to grant some or all of the
6 petition in *Wit*. The parties' briefs, if any, should be filed by March 31, 2023 and should be
7 limited to five pages. The parties' pending motions (Dkts. 153 and 156) should be renoted for
8 consideration for March 31, 2023.

9 **IT IS SO ORDERED.**

10 The Clerk is directed to send uncertified copies of this Order to all counsel of record and
11 to any party appearing pro se at said party's last known address.

12 Dated this 14th day of March, 2023.

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15 ROBERT J. BRYAN
16 United States District Judge
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