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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,

No. 2:20-CV-00047-SAB

Plaintiff,

v.

ALEX M. AZAR II, in his official capacity
as Secretary of the United States

**ORDER SETTING BRIEFING
SCHEDULE**

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.

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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10 Stanley A. Bastian

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12 Stanley A. Bastian
13 United States District Judge
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