

UNITED STATES COURT OF APPEALS  
FOR THE NINTH CIRCUIT

FILED

JUN 12 2020

MOLLY C. DWYER, CLERK  
U.S. COURT OF APPEALS

JOHN DOE, One; JOHN DOE, Two; JOHN  
DOE, Three; JOHN DOE, Four; on behalf of  
themselves and all others similarly situated;  
JOHN DOE, Five,

Plaintiffs-Appellants,

v.

CVS PHARMACY, INC.; CAREMARK,  
LLC; CAREMARK CALIFORNIA  
SPECIALTY PHARMACY, LLC;  
NATIONAL RAILROAD PASSENGER  
CORPORATION, DBA Amtrak; LOWE'S  
COMPANIES, INC.; TIME WARNER,  
INC.,

Defendants-Appellees,

and

CAREMARK RX, LLC; CVS HEALTH  
CORPORATION,

Defendants.

No. 19-15074

D.C. No. 3:18-cv-01031-EMC  
Northern District of California,  
San Francisco

ORDER

Before: M. SMITH and HURWITZ, Circuit Judges, and BURGESS,\* District  
Judge.

Because the resolution of this case may be affected by the outcome of *E.S. v.*

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\* The Honorable Timothy M. Burgess, United States Chief District  
Judge for the District of Alaska, sitting by designation.

*Regence Blueshield*, No. 18-35892, or *Schmitt v. Kaiser Foundation Health Plan*, No. 18-35846, we defer submission and stay further proceedings pending a disposition in those cases or until further order of this Court. The Clerk is directed to administratively close this docket, pending further order.