

FILED

MAY 7 2020

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

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

PATRICK ALLEN, in his official capacity
as DIRECTOR OF OREGON HEALTH
AUTHORITY, an agency of the State of
Oregon,

Plaintiff-Appellant,

v.

FAMILYCARE, INC., an Oregon non-
profit corporation,

Defendant-Appellee.

No. 18-35593

D.C. No. 3:18-cv-00212-MO

ORDER AMENDING
MEMORANDUM DISPOSITION

FAMILYCARE, INC., an Oregon non-
profit corporation,

Plaintiff-Appellant,

v.

OREGON HEALTH AUTHORITY, an
agency of the State of Oregon; PATRICK
ALLEN, in his official capacity as Director
of Oregon Health Authority,

Defendants-Appellees,

and

No. 19-35103

D.C. No. 6:18-cv-00296-MO

LYNNE SAXTON,

Defendant.

FAMILYCARE, INC., an Oregon non-profit corporation,

Plaintiff-Appellee,

v.

PATRICK ALLEN, in his individual capacity,

Defendant-Appellant,

and

OREGON HEALTH AUTHORITY, an agency of the State of Oregon; LYNNE SAXTON,

Defendants.

No. 18-35891

D.C. No. 6:18-cv-00296-MO

FAMILYCARE, INC., an Oregon non-profit corporation,

Plaintiff-Appellee,

v.

LYNNE SAXTON,

Defendant-Appellant,

No. 18-36009

D.C. No. 6:18-cv-00296-MO

and

PATRICK ALLEN, in his individual
capacity; OREGON HEALTH
AUTHORITY, an agency of the State of
Oregon,

Defendants.

FAMILYCARE, INC., an Oregon non-
profit corporation,

Plaintiff-Appellant,

v.

LYNNE SAXTON,

Defendant-Appellee,

and

PATRICK ALLEN, in his individual
capacity; OREGON HEALTH
AUTHORITY, an agency of the State of
Oregon,

Defendants.

No. 18-36048

D.C. No. 6:18-cv-00296-MO

Before: WOLLMAN,* FERNANDEZ, and PAEZ, Circuit Judges.

The memorandum disposition filed herein on April 30, 2020, is amended as follows:

The penultimate sentence on page thirteen of the memorandum disposition is hereby revoked, and the following is substituted in its place:

**AFFIRMED in part and VACATED in part in
No. 19-35103; AFFIRMED in Nos. 18-35593 and 18-
36009; REVERSED in Nos. 18-35891 and 18-36048.**

* The Honorable Roger L. Wollman, United States Circuit Judge for the U.S. Court of Appeals for the Eighth Circuit, sitting by designation.