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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

GLEN W. THOMAS,
Plaintiff,
v.
SECRETARY OF HEALTH AND
HUMAN SERVICES,
Defendant.

No. 2:16-cv-2541-KJN PS

ORDER

By this action, plaintiff seeks judicial review of a final decision of the Secretary of Health and Human Services concluding that the Medicare Advantage Plan in which plaintiff had been enrolled had properly denied plaintiff's pre-authorization request to have eye surgery performed by an out-of-network provider to treat an invasive melanoma, and that the plan was not obligated to reimburse plaintiff for the costs of the surgery. (ECF No. 12.)¹

On August 9, 2017, the Secretary of Health and Human Services filed an answer and lodged the administrative record. (ECF No. 21.)²

¹ Plaintiff proceeds in this action without counsel.

² Both parties consented to proceed before a United States Magistrate Judge for all purposes, including the entry of final judgment, pursuant to 28 U.S.C. § 636(c). (ECF Nos. 5, 15.)

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Accordingly, IT IS HEREBY ORDERED that:

1. Within 14 days of this order, the parties shall meet and confer, and file a joint status report addressing the following topics: (a) a proposed briefing schedule; (b) whether or not the parties desire a hearing upon completion of the briefing, or whether the matter should be submitted on the record and written briefing; (c) if a hearing is desired, proposed hearing dates; (d) whether any discovery or development outside of the administrative record is necessary or appropriate; and (e) any other matters that will aid in the expeditious and just resolution of this case.
2. Upon review of the parties' joint status report, the court will issue an appropriate scheduling order.

IT IS SO ORDERED.

Dated: August 11, 2017


KENDALL J. NEWMAN
UNITED STATES MAGISTRATE JUDGE