

United States District Court  
For the Northern District of California

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IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

	)	Case No. CV 08-5173 SC
	)	
SANTA ROSA MEMORIAL HOSPITAL, et	)	<u>ORDER STAYING CASE</u>
al.,	)	
	)	
Plaintiffs,	)	
	)	
v.	)	
	)	
TOBY DOUGLAS, Director	)	
of the California Department of	)	
Health Care Services,	)	
	)	
Defendant.	)	
	)	
	)	

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Currently under submission before the Court are cross-motions for summary judgment. ECF Nos. 127, 129. Both motions depend on an issue previously left unresolved by the Ninth Circuit and the Supreme Court: whether the Supremacy Clause provides a private right of action to enforce 28 U.S.C. Section 1396a(a)(30)(A). On October 2, 2014, the Supreme Court granted certiorari to decide that question. Exceptional Child Ctr., Inc. v. Armstrong, 567 F. App'x 496 (9th Cir. 2014), cert. granted, No. 14-15 (Oct. 2, 2014). Therefore, in the interest of conserving judicial resources, the Court STAYS the case pending the decision in Armstrong.

Within fourteen (14) days of the Supreme Court's decision in

1 Armstrong, the parties shall file notice of the decision with the  
2 Court. With that notice the parties shall file a joint status  
3 report outlining their future plans with respect to the cross-  
4 motions for summary judgment. If necessary, the Court will issue  
5 an order scheduling supplemental briefing on the motion.

6 If the parties do not file notice and a joint status report  
7 following the decision in Armstrong, the stay will be lifted, and  
8 the Court will decide the cross-motions for summary judgment.

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10 IT IS SO ORDERED.

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12 Dated: October 9, 2014

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UNITED STATES DISTRICT JUDGE

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