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

BRIAN H. and ALEX H.,
Plaintiffs,
v.
BLUE SHIELD OF CALIFORNIA, et al.,
Defendants.

Case No. [17-cv-03095-MMC](#)

**ORDER GRANTING IN PART MOTION
TO RECONSIDER; VACATING
JUDGMENT; DENYING WITHOUT
PREJUDICE MOTION FOR
ATTORNEYS' FEES AND COSTS**

Re: Dkt. Nos. 98, 104

Before the Court is the Motion to Reconsider or Amend Judgment (“Motion to Reconsider”), filed April 9, 2019, by defendant California Physicians’ Service dba Blue Shield of California (“Blue Shield”). Plaintiffs Brian H. and Alex H. have filed opposition, to which Blue Shield has replied. The matter came on regularly for hearing on May 17, 2019. Katie J. Spielman and David M. Lilienstein of DL Law Group appeared on behalf of plaintiffs. Joseph E. Laska and Anastasia Bondarchuk of Manatt, Phelps & Phillips, LLP appeared on behalf of Blue Shield.

Having read and considered the parties’ respective written submissions and the arguments of counsel at hearing, the Court, for the reasons stated on the record at the hearing, rules as follows:

1. The Motion to Reconsider is hereby GRANTED in part, and the Judgment entered in favor of plaintiffs on March 12, 2019, is hereby VACATED.
2. Plaintiffs may file, no later than June 14, 2019, a Supplement to their Opposition to Blue Shield’s Cross-Motion; in response thereto, Blue Shield may file, no later than July 12, 2019, a Supplement to its Reply in Support of its Cross-Motion; and,


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unless the parties are otherwise notified, a hearing will be held on August 2, 2019, at 9:00 a.m.

3. In light of the above, plaintiffs' Motion for Attorneys' Fees and Costs, filed March 25, 2019, is hereby DENIED without prejudice as premature.

IT IS SO ORDERED.

Dated: May 20, 2019


MAXINE M. CHESNEY
United States District Judge