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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

CALIFORNIA SPINE AND
NEUROSURGERY INSTITUTE,

Plaintiff,

v.

BLUE CROSS OF CALIFORNIA,

Defendant.

Case No. 18-cv-04777-PJH

**ORDER SETTING BRIEFING
SCHEDULE AND VACATING CASE
MANAGEMENT CONFERENCE**

Re: Dkt. No. 47

The court is in receipt of the parties' joint case management statement. Dkt. 47. Both parties agree that the Ninth Circuit's opinion remanding the case back to this court included an instruction for the court to consider the remaining equitable estoppel factors. See Dkt. 40 at 3. The parties propose to file supplemental briefing on the equitable estoppel issue. Dkt. 47 at 2.

The court agrees with the parties that supplemental briefing is warranted and, accordingly, sets the following briefing schedule. Defendant shall file its supplemental brief on or before August 27, 2020; plaintiff shall file its supplemental brief in opposition on or before September 10, 2020; and defendant shall file its supplemental reply brief on or before September 17, 2020. The matter will be decided on the parties' briefings without a hearing. The briefs shall not exceed 10 pages and need not include a table of contents or authorities.

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Additionally, the court VACATES the Case Management Conference currently set for August 20, 2020, to be rescheduled if this case proceeds past the pleading stage.

IT IS SO ORDERED.

Dated: August 13, 2020

/s/ Phyllis J. Hamilton
PHYLLIS J. HAMILTON
United States District Judge