

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

| | | |
|-------------------------------------|---|------------|
| GLOBAL EDUCATION SERVICES, INC., |) | |
| |) | Plaintiff, |
| v. |) | |
| INTUIT, INC., |) | |
| |) | Defendant. |
| |) | |

No. C09-944RSL

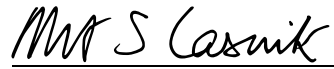
ORDER VACATING
ORDER TO SHOW CAUSE
AND DENYING REQUESTS
FOR SUPPLEMENTAL
BRIEFING

This matter comes before the Court on the defendant’s requests for supplemental briefing (Dkt. ## 35, 41) and the Court’s Order to Show Cause (Dkt. # 37). Defendant wishes to submit supplemental briefing on questions of preemption and statutory construction. These matters have been exhaustively briefed already and the Court needs no additional briefing. The parties may make their arguments before the Court when it hears defendant’s motion to dismiss.

As there was a pending Ninth Circuit appeal that might have resolved the preemption issue in this case, the Court issued an order to show cause (Dkt. # 37) why defendant’s motion to dismiss should not be stayed pending the resolution of that appeal. The Ninth Circuit soon after issued its opinion in Williams v. MCIMetro Access Transmission Servs. Inc., 2010 WL 331475 (9th Cir. Jan. 28, 2010), but did not address the preemption issues. Accordingly, the Court now VACATES the order to show cause (Dkt. # 37).

ORDER

1 DATED this 19th day of May, 2010.

2
3 

4 Robert S. Lasnik
5 United States District Judge
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26