

FILED

UNITED STATES COURT OF APPEALS

JUL 25 2014

FOR THE NINTH CIRCUIT

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

SAINT ALPHONSUS MEDICAL
CENTER - NAMPA INC.; et al.,

Plaintiffs - Appellees,

and

IDAHO STATESMAN PUBLISHING,
LLC; et al.,

Intervenors,

v.

ST. LUKE'S HEALTH SYSTEM, LTD; et
al.,

Defendants - Appellants.

No. 14-35173

D.C. Nos. 1:12-cv-00560-BLW
1:13-cv-00116-BLW

District of Idaho,
Boise

ORDER

Before: KOZINSKI, Chief Judge, HAWKINS and WARDLAW, Circuit Judges.

Appellees' opposed "motion for leave to file sur-reply in opposition to motion of appellants for stay pending appeal" is granted. The Clerk shall file the surreply.

The Clerk shall file the "Brief For *Amicus Curiae* Medicaid Defense Fund In Support of Defendants-Appellants Urgent Motion For A Stay" (docket No. 46).

KK/MOATT

Now, having considered the stay motion and all responses/replies thereto, appellants' motion to stay the district court's January 24, 2014 order pending appeal is granted. *See Hilton v. Braunskill*, 481 U.S. 770, 776 (1987).

The court sua sponte expedites the briefing and hearing of this appeal. The opening brief has been filed. The answering brief of appellees Saint Alphonsus Medical Center - Nampa, Inc., Saint Alphonsus Health System, Inc., Saint Alphonsus Regional Medical Center, Inc., and Treasure Valley Hospital Limited Partnership has been filed. The answering brief of appellees Federal Trade Commission and State of Idaho remains due August 13, 2014, and the optional reply brief is due within fourteen days after the last filed answering brief. Any further request for an extension of time to file a brief is disfavored; any such relief must be requested under Ninth Circuit Rule 31-2.2(b). The Clerk shall calendar the appeal on the earliest available argument calendar.