

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

UNIVERSITY OF KANSAS HOSPITAL)	
AUTHORITY, <i>et al.</i> ,)	
)	
<i>Plaintiffs,</i>)	
)	
v.)	Case No. 1:20-cv-75-JDB
)	
ALEX M. AZAR II,)	
in his official capacity as Secretary of)	
Health and Human Services,)	
)	
<i>Defendant.</i>)	
)	

Case No. 1:20-cv-75-JDB

JOINT STATUS REPORT

Pursuant to this Court’s minute order of July 31, 2020, the Plaintiffs, University of Kansas Hospital Authority, *et al.*, and the Defendant, Alex M. Azar II, Secretary of Health & Human Services (together, the “Parties”), by counsel, respectfully submit this joint status report.

1. On June 5, 2020, this Court entered a minute order directing that “all further proceedings in this case are STAYED pending a final decision by the D.C. Circuit in the consolidated cases *American Hospital Association v. Azar*, No. 19-5352 (D.C. Cir.); *University of Kansas Hospital v. Azar*, No. 19-5353 (D.C. Cir.); and *Hackensack Meridian Health v. Azar*, No. 19-5354 (D.C. Cir).”
2. On July 17, 2020, a panel of the D.C. Circuit reversed the district court’s judgments in favor of the plaintiffs in the above-referenced cases, concluding that the court lacked jurisdiction over plaintiffs’ claims. *American Hospital Association v. Azar*, 964 F.3d 1260 (D.C. Cir. 2020).
3. The plaintiff-appellees in the case before the D.C. Circuit, including the Plaintiffs here, filed a petition for panel rehearing and a petition for rehearing en banc on August 31, 2020.

4. In light of the current state of the appellate proceedings, the Parties agree that it would be appropriate for this Court to continue the stay of this case until after the disposition of the petition for rehearing.

WHEREFORE, the parties respectfully request that the Court leave the current stay of proceedings in place until further order of the Court. The Parties also respectfully request that the Court order them to submit a joint status report within fourteen days of the disposition of the petition for rehearing.

Dated: September 14, 2020

Respectfully submitted,

/s/ Joel McElvain

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