

FILED

UNITED STATES COURT OF APPEALS

OCT 25 2010

FOR THE NINTH CIRCUIT

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

SHARON NEWTON-NATIONS; et al.,

Plaintiffs,

and

DONALD McCANTS; et al.,

Plaintiffs - Appellants,

v.

THOMAS BETLACH, Director of the
Arizona Health Care Containment System,
and KATHLEEN SEBELIUS, Secretary of
the United States Department of Human
Services, in their official capacities,

Defendants - Appellees.

No. 10-16193

D.C. No. 2:03-cv-02506-EHC

District of Arizona,

Phoenix

ORDER

Before: O'SCANNLAIN and W. FLETCHER, Circuit Judges.

Appellants' unopposed motion to file an oversized motion is granted.

Appellee Thomas J. Betlatch's unopposed motion to file an oversized opposition is granted.

Appellee Thomas J. Betlatch's motion to strike the portions of appellants' emergency motion for stay that reference appellants' attached declarations is denied.

Appellants' motion to stay the district court's March 29, 2010 order pending appeal is denied. *See Hilton v. Braunskill*, 481 U.S. 770, 776 (1987); *Cal. Pharmacists Ass'n v. Maxwell-Jolly*, 563 F.3d 847, 849-50 (9th Cir. 2009) (order).

The briefing schedule established previously shall remain in effect.