

United States District Court
For the Northern District of California

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
27
28

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

MIKESHA MARTINEZ, et al.,

Plaintiffs,

v.

ARNOLD SCHWARZENEGGER, et al.,

Defendants.

No. C 09-02306 CW


ORDER DENYING
PLAINTIFFS' EX PARTE
MOTION FOR
ENFORCEMENT OF
PRELIMINARY
INJUNCTION

_____ /
Plaintiffs have filed an ex parte motion for enforcement of the Court's preliminary injunction issued June 26, 2009. In that injunction, the Court enjoined and restrained Defendants from implementing California Welfare and Institutions Code § 12306.1(d)(6) without first conducting the analysis required by 42 U.S.C. § 1396a(a)(30)(A), as described in Orthopaedic Hospital v. Belshe, 103 F.3d 1941, 1943 (9th Cir. 1997). Defendants must comply with this injunction; however, at this juncture, the Court will not specifically direct Defendants as to how they should implement the injunction. If Plaintiffs are dissatisfied with the manner in which Defendants are implementing the injunction, they

1 may file a regularly noticed motion seeking relief. See N.D. Cal.
2 Civ. R. 7-2. Accordingly, Plaintiffs' motion is denied.

3 IT IS SO ORDERED.

4 Dated: 6/29/09



5 CLAUDIA WILKEN
6 United States District Judge

7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
United States District Court
For the Northern District of California