

**FILED**

UNITED STATES COURT OF APPEALS

DEC 02 2013

FOR THE NINTH CIRCUIT

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

STORMANS INC, doing business as  
Ralph's Thriftway; et al.,

Plaintiffs - Appellees,

v.

MARY SELECKY, Secretary of the  
Washington State Department of Health; et  
al.,

Defendants - Appellants,

and

JUDITH BILLINGS; et al.,

Defendant-intervenors.

No. 12-35221

D.C. No. 3:07-cv-05374-RBL  
Western District of Washington,  
Tacoma

ORDER

STORMANS INC, doing business as  
Ralph's Thriftway; et al.,

Plaintiffs - Appellees,

v.

MARY SELECKY, Secretary of the  
Washington State Department of Health; et  
al.,

Defendants,

and

No. 12-35223

D.C. No. 3:07-cv-05374-RBL  
Western District of Washington,  
Tacoma

JUDITH BILLINGS; et al.,  
Defendant-intervenors -  
Appellants.

These cases are removed from the December 9, 2013, San Francisco calendar and submission is deferred pending the Supreme Court's decision in Conestoga Wood Specialties v. Sebelius, No. 13-356, or until further order of the court.

FOR THE COURT:

MOLLY C. DWYER  
CLERK OF COURT

By: Allison Fung  
Deputy Clerk