

FILED

JUDICIAL COUNCIL
OF THE NINTH CIRCUIT

FEB 01 2010

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

IN THE MATTER OF KAREN
GOLINSKI et ux.

No. 09-80173

ORDER

KOZINSKI, Chief Judge:

The parties have filed a joint motion to stay the appeal of this matter pending resolution of a related case, Golinski v. U.S. Office of Personnel Management, No. 10-cv-00257-SBA (N.D. Cal. filed Jan. 20, 2010). The Blue Cross and Blue Shield Association (“Blue Cross”) has also moved for a 14-day extension of the time in which to file its opening brief, noting that it would like additional time to prepare.

The motion for a stay is granted. The briefing schedule is vacated, and the appeal is stayed pending further order of the Council. The parties shall promptly inform the Council of any developments in Golinski, No. 10-cv-00257-SBA, that bear on the propriety of this stay.

As the briefing schedule is vacated, Blue Cross’s motion for more time to file its opening brief is moot. The stay period should provide it ample opportunity to prepare for further proceedings, if any.