

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

AUTOCAM CORPORATION,
et al.,

Plaintiffs,

Case No. 1:12cv1096

v.

Hon. Robert J. Jonker

KATHLEEN SEBELIUS, et al.,

Defendants.

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ORDER

On September 17, 2013, the United States Court of Appeals issued its Opinion on an appeal from this Court's Order denying plaintiffs' Motion for Preliminary Injunction. The Court of Appeals affirmed this Court's decision on grounds that would seem to require immediate dismissal of the claims of the individual plaintiffs in this case on standing grounds, and to provide a basis for granting the defendants' pending Motion to Dismiss all of the remaining counts in this case asserted by the corporate plaintiff. The Court recognizes that plaintiffs may choose to seek *en banc* review, but in light of the likelihood of eventual Supreme Court consideration of this case, or another case like it, the Court sees little reason to delay entry of final judgment in this case when the Court of Appeals has already ruled on grounds that would appear to resolve the merits of the case. The parties may show cause not later than **September 27, 2013**, why the Court should not implement the decision of the Court of Appeals by dismissing the claims of the individual plaintiffs in this case for lack of standing, and by granting the defendants' Motion to Dismiss all remaining claims asserted by the corporate plaintiff. The Motion of the Plaintiffs' for Leave to Serve Written Discovery (docket # 52) is **DENIED** because the Court does not find good cause for the proposed discovery in light of the reasoning of the Court of Appeals.

IT IS SO ORDERED.

/s/Robert J. Jonker
ROBERT J. JONKER
UNITED STATES DISTRICT JUDGE

Dated: September 18, 2013