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 CITY AND COUNTY OF SAN FRANCISCO

11 UNITED STATES DISTRICT COURT  
 12  
 13 NORTHERN DISTRICT OF CALIFORNIA

14 CITY AND COUNTY OF SAN FRANCISCO,  
 Plaintiff,

15 vs.

16 ALEX M. AZAR II, et al.,  
 17 Defendants.

**JOINT ADMINISTRATIVE MOTION FOR  
 RELIEF FROM AUTOMATIC REFERRAL  
 TO THE ADR MULTI-OPTION PROGRAM**

Case No. 3:19-cv-02405-WHA

18 STATE OF CALIFORNIA, ex rel. XAVIER  
 19 BECERRA,  
 Plaintiff,

20 vs.

21 ALEX M. AZAR II, et al.,  
 22 Defendants.

Case No. 3:19-cv-02769-WHA

23 COUNTY OF SANTA CLARA et al.,  
 24 Plaintiffs,

25 vs.

26 ALEX M. AZAR II, et al.,  
 27 Defendants.

Case No. 5:19-cv-02916-WHA

**INTRODUCTION**

Pursuant to Civil Local Rule 7-11 and ADR Local Rule 3-3(c), the parties jointly request that the Court excuse them from automatic mandatory participation in the Court’s Alternative Dispute Resolution Multi-Option Program (“ADRMOP” or “Program”).

**DISCUSSION**

Counsel for the parties have reviewed the Court’s handbook entitled “Dispute Resolution Procedures in the Northern District of California,” as well as the Court’s Alternative Dispute Resolution (“ADR”) Local Rules. The parties have further conferred, and are in agreement that the nature of the instant suit—which challenges validity of regulations promulgated by Defendants—renders it a poor fit for inclusion in the Court’s Alternative Dispute Resolution Multi-Option Program (“ADRMOP” or “Program”), in that the issues presented are not amenable to resolution by any of the various processes offered by the ADRMOP. Accordingly, the parties respectfully and jointly request relief from the Court’s automatic and mandatory referral to that Program, and specifically that their participation in the ADRMOP be excused. The parties respectfully submit that the requested relief will appropriately conserve the time and resources not only of the parties themselves, but also of the staff of the Court’s ADR Unit.

**CONCLUSION**

For the reasons set forth above, the parties respectfully request that the Court grant their joint administrative motion for relief from the ADRMOP.

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1 Respectfully submitted,

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3 Dated: June 26, 2019

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6 Civil Division

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Dated: June 26, 2019

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Dated: June 26, 2019

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through Attorney General Xavier Becerra*

ATTESTATION OF SIGNATURES

I, Sara J. Eisenberg, hereby attest, pursuant to Local Civil Rule 5-1(i)(3) of the Northern District of California that concurrence in the filing of this document has been obtained from each signatory hereto.

/s/ Sara J. Eisenberg  
Sara J. Eisenberg  
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14 CITY AND COUNTY OF SAN FRANCISCO,  
 Plaintiff,

15 vs.

16 ALEX M. AZAR II, et al.,  
 17 Defendants.

**[PROPOSED] ORDER GRANTING JOINT  
 ADMINISTRATIVE MOTION FOR RELIEF  
 FROM AUTOMATIC REFERRAL TO THE  
 ADR MULTI-OPTION PROGRAM**

Case No. 3:19-cv-02405-WHA

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Case No. 3:19-cv-02769-WHA

24 COUNTY OF SANTA CLARA et al.,  
 Plaintiff,

25 vs.

26 ALEX M. AZAR II, et al.,  
 27 Defendants.

Case No. 5:19-cv-02916-WHA

1 The parties have filed a Joint Administrative Motion for Relief from Automatic Referral to the  
2 ADR Multi-Option Program. Having considered the parties' motion and all materials submitted in  
3 relation thereto, and good cause having been shown,

4 IT IS HEREBY ORDERED that the parties' Joint Administrative Motion for Relief from  
5 Automatic Referral to the ADR Multi-Option Program is GRANTED;

6 AND IT IS FURTHER ORDERED that the parties be, and they hereby are, excused from  
7 mandatory participation in the Court's Alternative Dispute Resolution Multi-Option Program.

8 **IT IS SO ORDERED.**

9  
10 Dated: June \_\_\_\_, 2019

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11 WILLIAM ALSUP  
United States District Judge