FILED

MAY 16 2018

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

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

SAINT ALPHONSUS MEDICAL CENTER - NAMPA INC; SAINT ALPHONSUS HEALTH SYSTEM INC; SAINT ALPHONSUS REGIONAL MEDICAL CENTER, INC.; TREASURE VALLEY HOSPITAL LIMITED PARTNERSHIP,

Plaintiffs-Appellees,

and

FEDERAL TRADE COMMISSION; STATE OF IDAHO,

Plaintiffs,

v.

ST. LUKE'S HEALTH SYSTEM, LTD.; ST. LUKE'S REGIONAL MEDICAL CENTER, LTD,

Defendants-Appellants,

and

SALTZER MEDICAL GROUP,

Defendant.

No. 16-36044

D.C. Nos. 1:12-cv-00560-BLW
1:13-cv-00116-BLW
District of Idaho,
Boise

ORDER

Before: BERZON, THACKER,* and HURWITZ, Circuit Judges.

The court is of the view that mediation may be appropriate in this matter. Submission of this case is withdrawn pending determination of whether the parties wish to pursue mediation.

This case is referred to the court's Circuit Mediation Office to explore whether the parties wish to pursue a resolution through mediation. The Circuit Mediator shall contact counsel and shall inform the panel within 60 days whether the parties wish to attempt mediation, in which case the court will continue to defer submission.

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* The Honorable Stephanie Dawn Thacker, United States Circuit Judge for the U.S. Court of Appeals for the Fourth Circuit, sitting by designation.