

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF IDAHO

<p>K.W., by his next friend D.W., et al.,</p> <p>Plaintiffs,</p> <p>v.</p> <p>RICHARD ARMSTRONG, in his official capacity as Director of the Idaho Department of Health and Welfare; PAUL LEARY, in his official capacity as Medicaid Administrator of the Idaho Department of Health and Welfare; and the IDAHO DEPARTMENT OF HEALTH AND WELFARE, a department of the State of Idaho,</p> <p>Defendants.</p>	<p>Case No. 1:12-cv-00022-BLW (lead case)</p> <p>MEMORANDUM DECISION AND ORDER</p>
<p>TOBY SCHULTZ, et al.</p> <p>Plaintiffs,</p> <p>v.</p> <p>RICHARD ARMSTRONG, et al.,</p> <p>Defendants.</p>	<p>Case No. 3:12-CV-58-BLW</p>

INTRODUCTION

Before the Court is motion for extension of time and an amended motion for extension of time, both filed by defendants. The Court also has a pending motion to enforce settlement agreement filed by plaintiffs that the defendants have not responded to pending resolution of their motions for extension of time. For the reasons explained below, the Court will deny the motions for extension and require defendants to file a

response brief to the motion to enforce within twenty (20) days from the date of this decision. The Court will also set a hearing date on the motion to enforce in the Order section of this decision.

ANALYSIS

In their motions, defendants request an order (1) allowing them to take limited discovery into the basis for the motion to enforce, including deposing the class representatives (for no more than 2 hours); (2) extend the time within which defendants must respond to the motion to enforce to allow for limited discovery; and (3) requiring class counsel to clarify who the class representatives in this case are.

This case was originally filed in 2012. Two years have passed since the class action settlement. The Court expresses no opinion on the motion to enforce – and the arguments concerning whether additional time is needed to construct the budget tool – other than to say that there must be some urgency in the resolution of that motion. The class members are well-known and the discovery sought by defendants does not, at this time, appear important enough to delay any further the resolution of the motion to enforce.

For all of these reasons, the Court will deny the motions to extent time and direct defendants to respond to the motion to enforce within twenty (20) days from the date of this decision.

ORDER

In accordance with the Memorandum Decision set forth above,

NOW THEREFORE IT IS HEREBY ORDERED, that the motion to extend (docket no. 354) and the amended motion to extend (docket no. 356) are DENIED.

IT IS FURTHER ORDERED, that defendants shall respond to the pending motion to enforce (docket no. 353) on or before **February 20, 2020**. The final reply brief by plaintiffs shall be due in accordance with Local Rules.

IT IS FURTHER ORDERED, that a hearing shall be held on the motion to enforce (docket no. 353) on **March 19, 2020, at 1:30 p.m.** in the Federal Courthouse in Boise Idaho.



DATED: January 31, 2020

A handwritten signature in black ink, reading "B. Lynn Winmill".

B. Lynn Winmill
Chief Judge
United States District Court