

United States Court of Appeals For the First Circuit

No. 10-2204

COMMONWEALTH OF MASSACHUSETTS,

Plaintiff, Appellee,

v.

UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES, ET AL.,

Defendants, Appellants.

No. 10-2207

DEAN HARA,

Plaintiff, Appellee/Cross - Appellant,

NANCY GILL, ET AL.,

Plaintiffs, Appellees,

KEITH TONEY; ALBERT TONEY, III,

Plaintiffs,

v.

OFFICE OF PERSONNEL MANAGEMENT, ET AL.,

Defendants, Appellants/Cross - Appellees,

HILARY RODHAM CLINTON, in her official capacity as United States
Secretary of State,

Defendant.

No. 10-2214

DEAN HARA,

Plaintiff, Appellee/Cross - Appellant,

NANCY GILL, ET AL.,

Plaintiffs - Appellees,

KEITH TONEY, ET AL.,

Plaintiffs,

v.

OFFICE OF PERSONNEL MANAGEMENT, ET AL.,

Defendants, Appellants/Cross - Appellees,

HILARY RODHAM CLINTON, in her official capacity as United States
Secretary of State,

Defendant.

ORDER OF COURT

Entered: February 25, 2011
Pursuant to 1st Cir. R. 27.0(d)

On or before **March 18, 2011**, the parties are to confer and file a joint proposal as to how these cases should proceed in light of the government's letter of February 24, 2011. The proposal shall address, among other things, whether the government needs to clarify its litigation stance by filing a new brief. The government shall also inform us, at that time, when we should expect to learn that Congress will or will not seek to intervene or otherwise participate, as well as whether in its view this matter should be held in abeyance pending that Congressional decision. The government shall also address whether, in its view, the government appeals should be dismissed in light of the government's position. Appellant Dean Hara shall also address whether the government's letter affects whether his own appeal should proceed.

The present briefing schedule is vacated pending consideration of the further filings.

By the Court:

/s/ Margaret Carter, Clerk

cc:
Counsel of Record