

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

ST. VINCENT CATHOLIC  
CHARITIES,

*Plaintiff,*

v.

ROBERT GORDON, in his official capacity as the Director of the Michigan Department of Health and Human Services; JOO YEUN CHANG, in her official capacity as the Executive Director of the Michigan Children's Services Agency; DANA NESSEL, in her official capacity as Michigan Attorney General; ALEX AZAR, in his official capacity as Secretary of Health and Human Services; UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES,

*Defendants.*

No. 1:19-CV-00286

HON. ROBERT J. JONKER

MAG. PHILLIP J. GREEN

**PLAINTIFF'S MOTION TO STAY PROCEEDINGS**

Plaintiff St. Vincent Catholic Charities (“St. Vincent”) respectfully moves this Court to stay all proceedings in this case pending the Supreme Court’s decision in *Fulton v. City of Philadelphia*, No. 19-123 (U.S. filed July 22, 2019). In support, St. Vincent states that:

1. On February 24, 2020, the Supreme Court granted review of the Third Circuit’s decision in *Fulton v. City of Philadelphia*, 922 F.3d 140 (3d Cir. 2019). The Court will probably issue a decision next term. That decision will likely guide both the applicable legal standards and scope of discovery in this case.
2. This Court has the inherent authority to stay proceedings.
3. Because *Fulton* will simplify—or even resolve—the issues in this case, a stay promotes judicial economy and preserves party resources. And because this case is still in its early stages (no discovery and no trial date), a stay now will allow the parties and the Court to benefit from the Supreme Court’s guidance in *Fulton*.
4. A stay will harm no one. To the contrary, this Court’s preliminary injunction will ensure that St. Vincent remains open during the stay, which is in the public’s interest. Further, it will preserve the status quo during the stay.

Accordingly, St. Vincent respectfully asks this Court to stay proceedings pending the Supreme Court’s decision in *Fulton v. City of Philadelphia*.

March 19, 2020

William R. Bloomfield (P68515)  
Catholic Diocese of Lansing

Respectfully submitted,

/s/ Lori H. Windham

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