

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF KENTUCKY  
LOUISVILLE DIVISION

EMW WOMEN’S SURGICAL CENTER,  
P.S.C. and ERNEST MARSHALL, M.D.,

Plaintiffs,

v.

Civil Action No. 3:19-cv-178-DJH

SECRETARY OF KENTUCKY’S CABINET  
FOR HEALTH AND FAMILY SERVICES  
et al.,

Defendants.

\* \* \* \* \*

**ORDER**

On the Court’s own motion, it is hereby

**ORDERED** that Plaintiffs’ motion for summary judgment (Docket No. 36) is **ADMINISTRATIVELY REMANDED** pending the Sixth Circuit’s resolution of *Preterm-Cleveland v. Himes*, No. 18-3329 (6th Cir.).