

UNITED STATES COURT OF APPEALS FOR THE THIRD CIRCUIT

DCO-062

No. 21-8014

MARY K. BOLEY; KANDIE SUTTER; PHYLLIS JOHNSON,
Individually and as representatives of a class of similarly situated persons,
on behalf of the Universal Health Services, Inc. Retirement Savings Plan

v.

UNIVERSAL HEALTH SERVICES, INC.; UNIVERSAL INC.;
THE UHS RETIREMENT PLANS INVESTMENT COMMITTEE,
DOES NO. 1-10, Whose Names Are Currently Unknown

Universal Health Services, Inc. and Universal Health Services, Inc.
Retirement Plans Investment Committee,
Petitioners

(E.D. Pa. No. 2-20-cv-02644)

Present: JORDAN, KRAUSE, and PHIPPS, Circuit Judges

1. Petition for Leave to Appeal pursuant to Fed. R. Civ. P. 23(f) filed by
Petitioners Universal Health Services Inc and Universal Health Services Inc
Retirement Plans Investment Committee
2. Respondents' Answer in Opposition to Petition for Leave to Appeal
3. Petitioners' Motion for Leave to File Reply in Support of Petition, with
proposed reply attached
4. Response by Mary K. Boley, Phyllis Johnson and Kandie Sutter in Opposition
to Motion for Leave to File Reply

Respectfully,
Clerk/CJG

ORDER

The foregoing motions for leave to appeal and for leave to file reply are granted.

By the Court,

s/ Cheryl Ann Krause
Circuit Judge

Dated: May 18, 2021

CJG/cc: Alec Berin, Esq.
James E. Miller, Esq.
Deborah S. Davidson, Esq.
James C. Shah, Esq.
Michael E. Kenneally, Esq.
Sean K. McMahan, Esq.
Brian T. Ortelere, Esq.



A True Copy:

Patricia A. Dodszeweit

Patricia S. Dodszeweit, Clerk

UNITED STATES COURT OF APPEALS FOR THE THIRD CIRCUIT

NOTICE

GRANT OF PERMISSION FOR LEAVE TO APPEAL

The Court of Appeals has granted a petition for leave to appeal in this matter.

The \$505.00 docketing and filing fee must be paid in the district court within 14 days after the entry of the order granting permission for leave to appeal, unless the petitioner is the United States government. Fed. R. App. P. 5. In addition, a cost bond must be filed if one is required under Fed. R. App. P. 7.

A notice of appeal does not need to be filed as a copy of the Court's order granting permission for leave to appeal which has been forwarded to the district court will serve as the notice of appeal.

The entry date of the order granting permission to appeal serves as the date of the filing of the notice of appeal for calculating time under the Federal Rules of Appellate Procedure. **Petitioner should notify the Court of Appeals in writing that the filing fee has been paid.**

Upon receipt of the notice from petitioner, the appeal will be opened on the general docket. All future filings regarding the appeal will be entered under the new docket number.

Very truly yours,
Patricia S. Dodszuweit, Clerk

By: s/ Caitlyn
Case Manager
267-299-4956

Cc: All Counsel of Record