

**IN THE SUPREME COURT OF PENNSYLVANIA  
MIDDLE DISTRICT**

COMMONWEALTH OF PENNSYLVANIA, : No. 46 MM 2019  
BY JOSH SHAPIRO, ATTORNEY :  
GENERAL; PENNSYLVANIA :  
DEPARTMENT OF INSURANCE, BY :  
JESSICA K. ALTMAN, INSURANCE :  
COMMISSIONER AND PENNSYLVANIA :  
DEPARTMENT OF HEALTH, BY RACHEL :  
LEVINE, SECRETARY OF HEALTH :

v. :

UPMC, A NONPROFIT CORP.; UPE, :  
A/K/A HIGHMARK HEALTH, A :  
NONPROFIT CORP. AND HIGHMARK, :  
INC., A NONPROFIT CORP. :

PETITION OF: COMMONWEALTH OF :  
PENNSYLVANIA, BY JOSH SHAPIRO, :  
ATTORNEY GENERAL :

**ORDER**

**PER CURIAM**

**AND NOW**, this 16th day of April, 2019, upon consideration of the Petition for Permission to Appeal, or, in the Alternative, Application for Extraordinary Relief, permission to appeal is GRANTED. See 42 Pa.C.S. §702(b). The Prothonotary is DIRECTED to establish a briefing schedule to ensure that the matter is listed for argument at the May 2019 session.

The Commonwealth Court severed Count I from the other counts of the Petition to Modify filed by the Office of Attorney General. See *Commonwealth v. UPMC*, 334 MD

2014 (order dated March 12, 2019). Except for Count I, the instant order granting permission to appeal does not operate as a stay on the Commonwealth Court's consideration of this ongoing litigation. See Pa.R.A.P. 1701(b)(5).