

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

CALIFORNIA HOSPITAL
ASSOCIATION,
Plaintiff,

v.

CITY OF INGLEWOOD,
Defendant.

2:23-cv-6187-DSF-PVCx

Order re Plaintiff's Supplemental
Response

On March 11, 2024, the Court granted, in part, Plaintiff California Hospital Association's motion for summary judgment. Specifically, the Court found that § 8-152(c) of the Ordinance at issue in this case was preempted by the National Labor Relations Act. In the summary judgment order, the Court provided Plaintiff an opportunity to argue that, under the Court's reasoning, other provisions in the Ordinance should also be preempted.

Plaintiff filed a response on March 20, 2024, arguing that § 8-152(d) should also be found to be preempted because that section is entirely dependent on the existence of § 8-152(c).¹ Neither the City of

¹ Section 8-152(d) states: "An employer is in violation of Subsection (c) of this Section if the minimum wage requirements of this Article are a motivating factor in the employer's decision to take any of the actions described in Subsection (c) of this Section, unless the employer proves that it would have taken the same action at the time that it did irrespective of the operation of this Article."

Inglewood nor the intervening Union filed a response to Plaintiff's position.

The Court agrees that preemption of § 8-152(c) also implies preemption of § 8-152(d). The parties are to confer on a proposed judgment, which is to be submitted for the Court's approval no later than April 17, 2024.

IT IS SO ORDERED.

Date: April 4, 2024

A handwritten signature in blue ink that reads "Dale S. Fischer". The signature is written in a cursive style and is positioned above a horizontal line.

Dale S. Fischer
United States District Judge