

**U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:18-cv-01900-JEB**

GRESHAM et al v. AZAR et al
Assigned to: Judge James E. Boasberg

Cases: [1:18-cv-00152-JEB](#)

[1:19-cv-02848-JEB](#)

[1:19-cv-00773-JEB](#)

[1:19-cv-03526-JEB](#)

Case in other court: USCA, 19-05094

USCA, 19-05096

Cause: 05:551 Administrative Procedure Act

Plaintiff

CHARLES GRESHAM

Date Filed: 08/14/2018

Jury Demand: None

Nature of Suit: 890 Other Statutory
Actions

Jurisdiction: U.S. Government Defendant

represented by **Catherine A. McKee**
NATIONAL HEALTH LAW PROGRAM
200 N. Greensboro Street
Suite D-13
Carrboro, NC 27510
(919) 968-6308
Email: mckee@healthlaw.org
ATTORNEY TO BE NOTICED

Ian Heath Gershengorn
JENNER & BLOCK LLP
1099 New York Avenue, NW
Suite 900
Washington, DC 20001-4412
(202) 639-6869
Fax: (202) 514-8071
Email: igershengorn@jenner.com
ATTORNEY TO BE NOTICED

Natacha Y. Lam
JENNER & BLOCK LLP
1099 New York Avenue, NW
Suite 900
Washington, DC 20001-4412
(202) 637-6350
Email: nlam@jenner.com
ATTORNEY TO BE NOTICED

Thomas J. Perrelli
JENNER & BLOCK LLP
1099 New York Avenue, NW
Suite 900
Washington, DC 20001
(202) 639-6000
Fax: (202) 661-4855
Email: tperrelli@jenner.com
ATTORNEY TO BE NOTICED

Jane Perkins
NATIONAL HEALTH LAW PROGRAM
200 N. Greensboro Street
Suite D-13
Carrboro, NC 27510
919-968-6308
Email: perkins@healthlaw.org
ATTORNEY TO BE NOTICED

Plaintiff

CESAR ARDON

represented by **Catherine A. McKee**
(See above for address)
ATTORNEY TO BE NOTICED

Ian Heath Gershengorn
(See above for address)
ATTORNEY TO BE NOTICED

Natacha Y. Lam
(See above for address)
ATTORNEY TO BE NOTICED

Thomas J. Perrelli
(See above for address)
ATTORNEY TO BE NOTICED

Jane Perkins
(See above for address)
ATTORNEY TO BE NOTICED

Plaintiff

MARISOL ARDON

represented by **Catherine A. McKee**
(See above for address)
ATTORNEY TO BE NOTICED

Ian Heath Gershengorn
(See above for address)
ATTORNEY TO BE NOTICED

Natacha Y. Lam
(See above for address)
ATTORNEY TO BE NOTICED

Thomas J. Perrelli
(See above for address)
ATTORNEY TO BE NOTICED

Jane Perkins
(See above for address)
ATTORNEY TO BE NOTICED

Plaintiff

ADRIAN MCGONIGAL

represented by **Jane Perkins**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Ian Heath Gershengorn
(See above for address)
ATTORNEY TO BE NOTICED

Natacha Y. Lam
(See above for address)
ATTORNEY TO BE NOTICED

Thomas J. Perrelli
(See above for address)
ATTORNEY TO BE NOTICED

Catherine A. McKee
(See above for address)

ATTORNEY TO BE NOTICED

Plaintiff

VERONICA WATSON

represented by **Jane Perkins**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Ian Heath Gershengorn
(See above for address)
ATTORNEY TO BE NOTICED

Natacha Y. Lam
(See above for address)
ATTORNEY TO BE NOTICED

Thomas J. Perrelli
(See above for address)
ATTORNEY TO BE NOTICED

Catherine A. McKee
(See above for address)
ATTORNEY TO BE NOTICED

Plaintiff

TREDA ROBINSON

represented by **Jane Perkins**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Ian Heath Gershengorn
(See above for address)
ATTORNEY TO BE NOTICED

Natacha Y. Lam
(See above for address)
ATTORNEY TO BE NOTICED

Thomas J. Perrelli
(See above for address)
ATTORNEY TO BE NOTICED

Catherine A. McKee
(See above for address)
ATTORNEY TO BE NOTICED

Plaintiff

ANNA BOOK

represented by **Jane Perkins**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Ian Heath Gershengorn
(See above for address)
ATTORNEY TO BE NOTICED

Natacha Y. Lam
(See above for address)
ATTORNEY TO BE NOTICED

Thomas J. Perrelli
(See above for address)
ATTORNEY TO BE NOTICED

Catherine A. McKee
(See above for address)
ATTORNEY TO BE NOTICED

Plaintiff

RUSSELL COOK

represented by **Jane Perkins**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Ian Heath Gershengorn
(See above for address)
ATTORNEY TO BE NOTICED

Natacha Y. Lam
(See above for address)
ATTORNEY TO BE NOTICED

Thomas J. Perrelli
(See above for address)
ATTORNEY TO BE NOTICED

Catherine A. McKee
(See above for address)
ATTORNEY TO BE NOTICED

Plaintiff

JAMIE DEYO

represented by **Jane Perkins**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Ian Heath Gershengorn
(See above for address)
ATTORNEY TO BE NOTICED

Natacha Y. Lam
(See above for address)
ATTORNEY TO BE NOTICED

Thomas J. Perrelli
(See above for address)
ATTORNEY TO BE NOTICED

Catherine A. McKee
(See above for address)
ATTORNEY TO BE NOTICED

V.

Defendant

ALEX M. AZAR, II
*Secretary, United States Department of
Health and Human Services in his official
capacity*

represented by **James Mahoney Burnham**
U.S. DEPARTMENT OF JUSTICE
Civil Division
950 Pennsylvania Avenue, NW
Washington, DC 20530
(202) 353-5049
Email: james.burnham@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Matthew Charles Skurnik
U.S. DEPARTMENT OF JUSTICE
Civil Division, Federal Programs Branch
1100 L Street, NW
Washington, DC 20005
(202) 616-8188
Email: matthew.skurnik@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Vinita B. Andrapalliyal
U.S. DEPARTMENT OF JUSTICE
Civil Division, Federal Programs Branch
1100 L Street NW
Washington, DC 20005
(202) 305-0845
Fax: (202) 616-8470
Email: vinita.b.andrapalliyal@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

SEEMA VERMA
*Administrator, Centers for Medicare and
Medicaid Services in her official capacity*

represented by **James Mahoney Burnham**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Matthew Charles Skurnik
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Vinita B. Andrapalliyal
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

**UNITED STATES DEPARTMENT
OF HEALTH AND HUMAN
SERVICES**

represented by **James Mahoney Burnham**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Matthew Charles Skurnik
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Vinita B. Andrapalliyal
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

**CENTERS FOR MEDICARE AND
MEDICAID SERVICES**

represented by **James Mahoney Burnham**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Matthew Charles Skurnik
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Vinita B. Andrapalliyal
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Movant

STATE OF ARKANSAS

represented by **Nicholas Jacob Bronni**
ARKANSAS ATTORNEY GENERAL'S
OFFICE
323 Center Street
Suite 200
Little Rock, AR 72201
(501) 682-6203
Email: nicholas.bronni@arkansasag.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Dylan L. Jacobs
ARKANSAS ATTORNEY GENERAL'S
OFFICE
323 Center Street
Suite 200
Little Rock, AR 72201
(501) 682-3661
Email: dylan.jacobs@arkansasag.gov
ATTORNEY TO BE NOTICED

Amicus

DEANS, CHAIRS, AND SCHOLARS

represented by **Christopher J. Frisina**
QUARLES & BRADY, LLP
1701 Pennsylvania Ave, NW
Suite 700
Washington, DC 20006
202-372-9515
Fax: 202-372-9578
Email: christopher.frisina@quarles.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Edward T. Waters
FELDESMAN TUCKER LEIFER
FIDELL LLP
1129 20th Street, NW
Suite 400
Washington, DC 20036
(202) 466-8960
Fax: (202) 293-8103
Email: ewaters@feldesmantucker.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Phillip A. Escoriaza
FELDESMAN TUCKER LEIFER
FIDELL LLP
1129 20th Street, NW
Suite 400
Washington, DC 20036
202-466-8960
Fax: 202-293-8103
Email: pescoriaza@ftlf.com
LEAD ATTORNEY
PRO HAC VICE
ATTORNEY TO BE NOTICED

Amicus**NATIONAL ALLIANCE ON
MENTAL ILLNESS**

represented by **Matthew J. Higgins**
HOGAN LOVELLS US LLP
555 Thirteenth Street, NW
Washington, DC 20004
202-637-5889
Email: matthew.higgins@hoganlovells.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
08/14/2018	<u>1</u>	COMPLAINT against All Defendants (Filing fee \$ 400 receipt number 0090-5637744) filed by CESAR ARDON, MARISOL ARDON, CHARLES GRESHAM. (Attachments: # <u>1</u> Civil Cover Sheet, # <u>2</u> Exhibit 1, # <u>3</u> Exhibit 2, # <u>4</u> Exhibit 3, # <u>5</u> Exhibit 4, # <u>6</u> Exhibit 5, # <u>7</u> Exhibit 6, # <u>8</u> Summons, # <u>9</u> Summons, # <u>10</u> Summons, # <u>11</u> Summons, # <u>12</u> Supplement)(Perkins, Jane) (Entered: 08/14/2018)
08/14/2018	<u>2</u>	NOTICE OF RELATED CASE by All Plaintiffs. Case related to Case No. 1:18-cv-00152. (Perkins, Jane) (Entered: 08/14/2018)
08/14/2018	<u>3</u>	REQUEST FOR SUMMONS TO ISSUE <i>U.S. Department of Health and Human Services</i> re <u>1</u> Complaint, filed by CESAR ARDON, MARISOL ARDON, CHARLES GRESHAM. Related document: <u>1</u> Complaint, filed by MARISOL ARDON, CHARLES GRESHAM, CESAR ARDON.(Perkins, Jane) (Entered: 08/14/2018)
08/14/2018		Case Assigned to Judge James E. Boasberg. (zsb) (Entered: 08/14/2018)
08/15/2018	<u>4</u>	SUMMONS (4) Issued Electronically as to ALEX M. AZAR, II, CENTERS FOR MEDICARE AND MEDICAID SERVICES, UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES, SEEMA VERMA. (Attachment: # <u>1</u> Notice and Consent)(zsb) (Entered: 08/15/2018)
08/21/2018	<u>5</u>	REQUEST FOR SUMMONS TO ISSUE <i>U.S. Attorney General</i> re <u>1</u> Complaint, filed by CESAR ARDON, MARISOL ARDON, CHARLES GRESHAM. Related document: <u>1</u> Complaint, filed by MARISOL ARDON, CHARLES GRESHAM, CESAR ARDON.(Perkins, Jane) (Entered: 08/21/2018)
08/21/2018	<u>6</u>	REQUEST FOR SUMMONS TO ISSUE <i>Civil Process Clerk</i> re <u>1</u> Complaint, filed by CESAR ARDON, MARISOL ARDON, CHARLES GRESHAM. Related document: <u>1</u> Complaint, filed by MARISOL ARDON, CHARLES GRESHAM, CESAR ARDON.(Perkins, Jane) (Entered: 08/21/2018)
08/21/2018	<u>7</u>	NOTICE of Appearance by Catherine A. McKee on behalf of All Plaintiffs (McKee, Catherine) (Entered: 08/21/2018)
08/21/2018	<u>8</u>	ERRATA <i>Complaint Corrected Exh. 4</i> by CESAR ARDON, MARISOL ARDON, CHARLES GRESHAM <u>1</u> Complaint, filed by MARISOL ARDON, CHARLES GRESHAM, CESAR ARDON. (Perkins, Jane) (Entered: 08/21/2018)
08/24/2018	<u>9</u>	SUMMONS (2) Issued Electronically as to U.S. Attorney and U.S. Attorney General (zrdj) (Entered: 08/24/2018)
08/27/2018	<u>10</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. ALEX M. AZAR, II served on 8/23/2018 (Perkins, Jane) (Entered: 08/27/2018)
08/27/2018	<u>11</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. CENTERS FOR MEDICARE AND MEDICAID SERVICES served on 8/23/2018 (Perkins, Jane) (Entered: 08/27/2018)
08/27/2018	<u>12</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed on United States Attorney General. Date of Service Upon United States Attorney General 8/27/2018. (Perkins, Jane) Modified on 9/6/2018 (znmw). (Entered: 08/27/2018)
08/27/2018	<u>13</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES served

		on 8/23/2018. (Perkins, Jane) Modified to add party served on 9/6/2018 (znmw). (Entered: 08/27/2018)
08/27/2018	<u>14</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. SEEMA VERMA served on 8/23/2018. (Perkins, Jane) Modified to add party served on 9/6/2018 (znmw). (Entered: 08/27/2018)
08/27/2018	<u>15</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to the United States Attorney. Date of Service Upon United States Attorney on 8/27/2018. Answer due for ALL FEDERAL DEFENDANTS by 10/26/2018. (Perkins, Jane) (Entered: 08/27/2018)
08/28/2018	<u>16</u>	NOTICE of Appearance by Vinita B. Andrapalliyal on behalf of ALEX M. AZAR, II, CENTERS FOR MEDICARE AND MEDICAID SERVICES, UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES, SEEMA VERMA (Andrapalliyal, Vinita) (Entered: 08/28/2018)
08/28/2018	<u>17</u>	RESPONSE <u>2</u> OF OBJECTION TO DESIGNATION OF RELATED CASES by ALEX M. AZAR, II, CENTERS FOR MEDICARE AND MEDICAID SERVICES, UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES, SEEMA VERMA re <u>2</u> Notice of Related Case (Andrapalliyal, Vinita) Modified text and linkage on 8/29/2018 (ztd). (Entered: 08/28/2018)
09/05/2018	<u>18</u>	Unopposed MOTION to Intervene by STATE OF ARKANSAS (Attachments: # <u>1</u> Exhibit A – Proposed Answer, # <u>2</u> Text of Proposed Order Proposed Order)(Bronni, Nicholas) (Entered: 09/05/2018)
09/05/2018	<u>19</u>	NOTICE of Appearance by Nicholas Jacob Bronni on behalf of STATE OF ARKANSAS (Bronni, Nicholas) (Entered: 09/05/2018)
09/05/2018	<u>20</u>	NOTICE of Appearance by Dylan L Jacobs on behalf of STATE OF ARKANSAS (Jacobs, Dylan) (Entered: 09/05/2018)
09/06/2018		MINUTE ORDER: The Court ORDERS that Intervenor's <u>18</u> Motion is GRANTED, and it shall abide by the same rules and deadlines applicable to Defendants. So ORDERED by Judge James E. Boasberg on 9/6/2018. (lcjeb1) (Entered: 09/06/2018)
09/06/2018	<u>21</u>	RESPONSE to <u>17</u> Objection to Related Case Designation filed by CESAR ARDON, MARISOL ARDON, CHARLES GRESHAM. (McKee, Catherine); Modified text on 9/11/2018 (tth). (Entered: 09/06/2018)
09/12/2018		MINUTE ORDER: The Court ORDERS that Defendants' <u>17</u> Objection to Related–Case Designation is OVERRULED. Among other reasons, both cases' common factual and legal issues, many of which are quite complex, militate in favor of this Court retaining the new case in the interests of judicial economy. So ORDERED by Judge James E. Boasberg on 9/12/2018. (lcjeb2) (Entered: 09/12/2018)
09/12/2018	<u>22</u>	ANSWER to Complaint by STATE OF ARKANSAS.(Bronni, Nicholas) (Entered: 09/12/2018)
09/13/2018		MINUTE ORDER: The Court ORDERS that the parties shall meet, confer, and submit a proposed joint briefing schedule by September 27, 2018. So ORDERED by Judge James E. Boasberg on 9/13/2018. (lcjeb2) (Entered: 09/13/2018)
09/13/2018		Set/Reset Deadlines: Joint Proposed Briefing Schedule due by 9/27/2018. (zbnbn) (Entered: 09/14/2018)
09/27/2018	<u>23</u>	PROPOSED BRIEFING SCHEDULE (<i>Joint</i>) by CESAR ARDON, MARISOL ARDON, CHARLES GRESHAM. (McKee, Catherine) (Entered: 09/27/2018)
09/28/2018		MINUTE ORDER: The Court ADOPTS the parties' <u>23</u> Joint Proposed Briefing Schedule and ORDERS that: 1) Defendants shall produce the administrative record by October 15, 2018; 2) Plaintiffs shall file their Motion for Summary Judgment and First Amended Complaint by November 5, 2018; 3) Defendants and Intervenor shall file their Oppositions to Plaintiffs' Motion and their Motions to Dismiss and/or Motions for Summary Judgment by November 30, 2018; 4) Plaintiffs shall file their Opposition to Defendants' Motion(s) and Reply in support of their Motion by December 21, 2018; 5) Defendants and Intervenor shall file their Replies in support of their Motions by January 14, 2019; and 6) Defendants' obligation to Answer the Complaint is STAYED

		until resolution of these Motions. So ORDERED by Judge James E. Boasberg on 9/28/2018. (lcjeb2) (Entered: 09/28/2018)
09/28/2018		Set/Reset Deadlines: Administrative Record due by 10/15/2018. Summary Judgment motions due by 11/5/2018. Response to Motion for Summary Judgment due by 11/30/2018. Reply to Motion for Summary Judgment due by 12/21/2018. Replies due by 1/14/2019. (zbn) (Entered: 09/28/2018)
09/28/2018		Set/Reset Deadlines: Reply to Motion for Summary Judgment due by 12/21/2018. (zbn) (Entered: 10/01/2018)
10/10/2018	<u>24</u>	NOTICE of Appearance by Matthew Charles Skurnik on behalf of ALEX M. AZAR, II, CENTERS FOR MEDICARE AND MEDICAID SERVICES, UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES, SEEMA VERMA (Skurnik, Matthew) (Entered: 10/10/2018)
10/15/2018	<u>25</u>	NOTICE OF FILING OF CERTIFIED INDEX TO ADMINISTRATIVE RECORD by ALEX M. AZAR, II, CENTERS FOR MEDICARE AND MEDICAID SERVICES, UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES, SEEMA VERMA (Attachments: # <u>1</u> Certified AR Index)(Skurnik, Matthew) (Entered: 10/15/2018)
11/05/2018	<u>26</u>	AMENDED COMPLAINT against ALEX M. AZAR, II, CENTERS FOR MEDICARE AND MEDICAID SERVICES, UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES, SEEMA VERMA filed by CESAR ARDON, MARISOL ARDON, CHARLES GRESHAM, ADRIAN MCGONIGAL, VERONICA WATSON, TRED A ROBINSON, ANNA BOOK, RUSSELL COOK, JAMIE DEYO. (Attachments: # <u>1</u> Exhibit ArWorks 1115 Waiver Amendment, # <u>2</u> Exhibit ArWorks Approval 2018, # <u>3</u> Exhibit ArWorks Implementation Plan 2018, # <u>4</u> Exhibit ArWorks Program June–Sept 2018 Reports, # <u>5</u> Exhibit Burwell Ltr Governor 4.2016, # <u>6</u> Exhibit SMD Letter)(McKee, Catherine) (Entered: 11/05/2018)
11/05/2018	<u>27</u>	MOTION for Summary Judgment by CESAR ARDON, MARISOL ARDON, ANNA BOOK, RUSSELL COOK, JAMIE DEYO, CHARLES GRESHAM, ADRIAN MCGONIGAL, TRED A ROBINSON, VERONICA WATSON (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Declaration Gresham Dec, # <u>3</u> Declaration McGonigal Dec, # <u>4</u> Declaration C Ardon Dec, # <u>5</u> Declaration M Ardon Dec, # <u>6</u> Declaration Book Dec, # <u>7</u> Declaration Cook Dec, # <u>8</u> Declaration Watson Dec, # <u>9</u> Declaration Robinson Dec, # <u>10</u> Declaration Deyo Dec, # <u>11</u> Text of Proposed Order)(McKee, Catherine) (Entered: 11/05/2018)
11/06/2018	<u>28</u>	ERRATA <i>Exhibit 1 Ky. Approval</i> by CESAR ARDON, MARISOL ARDON, ANNA BOOK, RUSSELL COOK, JAMIE DEYO, CHARLES GRESHAM, ADRIAN MCGONIGAL, TRED A ROBINSON, VERONICA WATSON <u>27</u> MOTION for Summary Judgment filed by VERONICA WATSON, ADRIAN MCGONIGAL, RUSSELL COOK, CHARLES GRESHAM, CESAR ARDON, TRED A ROBINSON, ANNA BOOK, MARISOL ARDON, JAMIE DEYO. (McKee, Catherine) (Entered: 11/06/2018)
11/07/2018	<u>29</u>	NOTICE of Appearance by Edward T. Waters on behalf of Scholars Amici (Waters, Edward) (Entered: 11/07/2018)
11/07/2018	<u>30</u>	MOTION for Leave to Appear Pro Hac Vice :Attorney Name– Phillip A. Escoriaza, :Firm– Feldesman Tucker Leifer Fidell, LLP, :Address– 1129 20th St. N.W., Suite 400. Phone No. – 2024668960. Fax No. – 2022938103 Filing fee \$ 100, receipt number 0090–5781152. Fee Status: Fee Paid. by Scholars Amici (Attachments: # <u>1</u> Declaration of Phillip A. Escoriaza, # <u>2</u> Text of Proposed Order)(Waters, Edward) (Entered: 11/07/2018)
11/07/2018	<u>31</u>	NOTICE of Appearance by Christopher J. Frisina on behalf of Scholars Amici (Frisina, Christopher) (Entered: 11/07/2018)
11/07/2018	<u>32</u>	Unopposed MOTION for Leave to File <i>to file Brief of Amici Curiae</i> by Scholars Amici (Attachments: # <u>1</u> Exhibit Proposed Scholars Amici Curiae Brief, # <u>2</u> Text of Proposed Order)(Waters, Edward) (Entered: 11/07/2018)
11/07/2018		MINUTE ORDER GRANTING <u>30</u> Motion for Admission <i>Pro Hac Vice</i> of PHILLIP A. ESCORIAZA. So ORDERED by Judge James E. Boasberg on 11/7/2018. (lcjeb2)

		(Entered: 11/07/2018)
11/08/2018		MINUTE ORDER GRANTING <u>32</u> Motion for Leave to File Amicus Brief. So ORDERED by Judge James E. Boasberg on 11/8/2018. (lcjeb2) (Entered: 11/08/2018)
11/08/2018	<u>33</u>	AMICUS BRIEF by DEANS, CHAIRS, AND SCHOLARS. (tth) Modified filed date on 11/13/2018 (znmw). (Entered: 11/09/2018)
11/16/2018	<u>34</u>	NOTICE of Appearance by Matthew J. Higgins on behalf of THE NATIONAL ALLIANCE ON MENTAL ILLNESS (Higgins, Matthew) (Entered: 11/16/2018)
11/16/2018	<u>35</u>	Unopposed MOTION for Leave to File <i>Brief of Amicus Curiae</i> by THE NATIONAL ALLIANCE ON MENTAL ILLNESS (Attachments: # <u>1</u> Exhibit Proposed Brief of Amicus Curiae, # <u>2</u> Text of Proposed Order)(Higgins, Matthew) (Entered: 11/16/2018)
11/26/2018		MINUTE ORDER GRANTING <u>35</u> Motion for Leave to File Amicus Brief. So ORDERED by Judge James E. Boasberg on 11/26/2018. (lcjeb2) (Entered: 11/26/2018)
11/26/2018	<u>36</u>	AMICUS BRIEF by NATIONAL ALLIANCE ON MENTAL ILLNESS. (tth) (Entered: 11/27/2018)
11/30/2018	<u>37</u>	MOTION to Dismiss , MOTION for Summary Judgment by ALEX M. AZAR, II, CENTERS FOR MEDICARE AND MEDICAID SERVICES, UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES, SEEMA VERMA (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Exhibit List, # <u>3</u> Exhibit A, # <u>4</u> Exhibit B, # <u>5</u> Exhibit C, # <u>6</u> Exhibit D, # <u>7</u> Exhibit E, # <u>8</u> Exhibit F, # <u>9</u> Exhibit G, # <u>10</u> Exhibit H, # <u>11</u> Exhibit I, # <u>12</u> Exhibit J, # <u>13</u> Exhibit K, # <u>14</u> Exhibit L, # <u>15</u> Text of Proposed Order)(Andrapalliyal, Vinita) (Entered: 11/30/2018)
11/30/2018	<u>38</u>	Memorandum in opposition to re <u>27</u> MOTION for Summary Judgment filed by ALEX M. AZAR, II, UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES, SEEMA VERMA. (Attachments: # <u>1</u> Exhibit List, # <u>2</u> Exhibit A, # <u>3</u> Exhibit B, # <u>4</u> Exhibit C, # <u>5</u> Exhibit D, # <u>6</u> Exhibit E, # <u>7</u> Exhibit F, # <u>8</u> Exhibit G, # <u>9</u> Exhibit H, # <u>10</u> Exhibit I, # <u>11</u> Exhibit J, # <u>12</u> Exhibit K, # <u>13</u> Exhibit L)(Andrapalliyal, Vinita) (Entered: 11/30/2018)
11/30/2018	<u>39</u>	MOTION for Summary Judgment by STATE OF ARKANSAS (Attachments: # <u>1</u> Memorandum in Support Brief in Support of Motion for Summary Judgment and Response to Plaintiffs' Motion for Summary Judgment, # <u>2</u> Affidavit Franklin Declaration, # <u>3</u> Text of Proposed Order)(Jacobs, Dylan) (Entered: 11/30/2018)
11/30/2018	40	RESPONSE re <u>27</u> MOTION for Summary Judgment filed by STATE OF ARKANSAS. (See Docket Entry <u>39</u> to view document) (tth). Modified text on 12/10/2018 (zth). (Entered: 12/10/2018)
12/17/2018	<u>41</u>	MOTION for Leave to File <i>Single Consolidated Brief</i> by CESAR ARDON, MARISOL ARDON, ANNA BOOK, RUSSELL COOK, JAMIE DEYO, CHARLES GRESHAM, ADRIAN MCGONIGAL, TRED A ROBINSON, VERONICA WATSON (Attachments: # <u>1</u> Text of Proposed Order)(McKee, Catherine) (Entered: 12/17/2018)
12/18/2018		MINUTE ORDER GRANTING Plaintiffs' <u>41</u> Motion for Leave to File Single Consolidated Brief. The Court ORDERS that Plaintiffs may file a consolidated brief of up to 55 pages in length. So ORDERED by Judge James E. Boasberg on 12/18/2018. (lcjeb2) (Entered: 12/18/2018)
12/21/2018	<u>42</u>	REPLY to opposition to motion re <u>27</u> MOTION for Summary Judgment , filed by CESAR ARDON, MARISOL ARDON, ANNA BOOK, RUSSELL COOK, JAMIE DEYO, CHARLES GRESHAM, ADRIAN MCGONIGAL, TRED A ROBINSON, VERONICA WATSON. (Attachments: # <u>1</u> Exhibit Arkansas Works Reports)(McKee, Catherine) Modified link on 1/3/2019 (znmw). (Entered: 12/21/2018)
12/21/2018	44	Memorandum in opposition to re <u>39</u> MOTION for Summary Judgment , <u>37</u> MOTION to Dismiss MOTION for Summary Judgment filed by CESAR ARDON, MARISOL ARDON, ANNA BOOK, RUSSELL COOK, JAMIE DEYO, CHARLES GRESHAM, ADRIAN MCGONIGAL, TRED A ROBINSON, VERONICA WATSON. (See Docket Entry <u>42</u> to view document) (tth) (Entered: 01/02/2019)

12/26/2018	<u>43</u>	MOTION to Stay <i>Deadline for Federal Defendants' Reply Brief in Light of Lapse of Appropriations</i> by ALEX M. AZAR, II, CENTERS FOR MEDICARE AND MEDICAID SERVICES, UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES, SEEMA VERMA (Attachments: # <u>1</u> Text of Proposed Order)(Andrapalliyal, Vinita) (Entered: 12/26/2018)
12/26/2018		MINUTE ORDER GRANTING <u>43</u> Motion to Stay Deadline for Federal Defendants' Reply Brief. So ORDERED by Judge James E. Boasberg on 12/26/2018. (lcjeb2) (Entered: 12/26/2018)
01/14/2019	<u>45</u>	REPLY to opposition to motion re <u>39</u> MOTION for Summary Judgment filed by STATE OF ARKANSAS. (Attachments: # <u>1</u> Exhibit A – Franklin Declaration)(Bronni, Nicholas) (Entered: 01/14/2019)
01/23/2019	<u>46</u>	NOTICE of Appearance by Thomas J. Perrelli on behalf of CESAR ARDON, MARISOL ARDON, ANNA BOOK, RUSSELL COOK, JAMIE DEYO, CHARLES GRESHAM, ADRIAN MCGONIGAL, TRED A ROBINSON, VERONICA WATSON (Perrelli, Thomas) (Entered: 01/23/2019)
01/23/2019	<u>47</u>	NOTICE of Appearance by Ian Heath Gershengorn on behalf of CESAR ARDON, MARISOL ARDON, ANNA BOOK, RUSSELL COOK, JAMIE DEYO, CHARLES GRESHAM, ADRIAN MCGONIGAL, TRED A ROBINSON, VERONICA WATSON (Gershengorn, Ian) (Entered: 01/23/2019)
01/23/2019	<u>48</u>	NOTICE of Appearance by Natacha Y. Lam on behalf of CESAR ARDON, MARISOL ARDON, ANNA BOOK, RUSSELL COOK, JAMIE DEYO, CHARLES GRESHAM, ADRIAN MCGONIGAL, TRED A ROBINSON, VERONICA WATSON (Lam, Natacha) (Entered: 01/23/2019)
01/29/2019	<u>49</u>	NOTICE of <i>Restoration of Appropriations</i> by ALEX M. AZAR, II, CENTERS FOR MEDICARE AND MEDICAID SERVICES, UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES, SEEMA VERMA (Skurnik, Matthew) (Entered: 01/29/2019)
01/30/2019		MINUTE ORDER ADOPTING <u>49</u> Notice of Restoration of Appropriations. The Court ORDERS that Defendants shall file their reply brief by February 19, 2019. So ORDERED by Judge James E. Boasberg on 1/30/2019. (lcjeb1) (Entered: 01/30/2019)
01/30/2019		Set/Reset Deadlines: Reply Brief due by 2/19/2019. (znbn) (Entered: 01/30/2019)
02/08/2019	<u>50</u>	Unopposed MOTION to Substitute by STATE OF ARKANSAS (Attachments: # <u>1</u> Affidavit Amended Affidavit)(Jacobs, Dylan) (Entered: 02/08/2019)
02/11/2019		MINUTE ORDER: The Court ORDERS that the unopposed <u>50</u> Motion to Substitute is GRANTED and the amended affidavit is deemed FILED. So ORDERED by Judge James E. Boasberg on 2/11/2019. (lcjeb2) (Entered: 02/11/2019)
02/11/2019	<u>51</u>	AMENDED AFFIDAVIT by STATE OF ARKANSAS. (tth) (Entered: 02/15/2019)
02/15/2019		MINUTE ORDER: The Court ORDERS that the parties shall appear for oral argument on the pending Motions on March 14, 2019, at 10:00 a.m. So ORDERED by Judge James E. Boasberg on 2/15/2019. (lcjeb1) (Entered: 02/15/2019)
02/15/2019		Set/Reset Hearings: Motiosn Hearing set for 3/14/2019 at 10:00 AM in Courtroom 25A before Judge James E. Boasberg. (lsj) (Entered: 02/15/2019)
02/19/2019	<u>52</u>	REPLY to opposition to motion re <u>37</u> MOTION to Dismiss MOTION for Summary Judgment filed by ALEX M. AZAR, II, CENTERS FOR MEDICARE AND MEDICAID SERVICES, UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES, SEEMA VERMA. (Skurnik, Matthew) (Entered: 02/19/2019)
02/28/2019		MINUTE ORDER: The Court ORDERS that all parties (including amici) shall file by March 8, 2019, copies of any portion of the administrative record or extra-record material (e.g., articles, studies, or reports) upon which they rely. So ORDERED by Judge James E. Boasberg on 2/28/2019. (lcjeb1) (Entered: 02/28/2019)
02/28/2019		Set/Reset Deadlines: Administrative Record due by 3/8/2019. (znbn) (Entered: 02/28/2019)

03/06/2019	<u>53</u>	JOINT APPENDIX by CESAR ARDON, MARISOL ARDON, ANNA BOOK, RUSSELL COOK, JAMIE DEYO, CHARLES GRESHAM, ADRIAN MCGONIGAL, TRED A ROBINSON, VERONICA WATSON. (Attachments: # <u>1</u> Appendix, # <u>2</u> Appendix, # <u>3</u> Appendix, # <u>4</u> Appendix, # <u>5</u> Appendix, # <u>6</u> Appendix, # <u>7</u> Appendix, # <u>8</u> Appendix, # <u>9</u> Appendix, # <u>10</u> Appendix, # <u>11</u> Appendix)(Perkins, Jane) (Entered: 03/06/2019)
03/07/2019	<u>54</u>	LARGE ADDITIONAL ATTACHMENT(S) <i>Administrative Record Excerpts and Extra-Record Material Cited in Amicus Curiae Brief</i> by NATIONAL ALLIANCE ON MENTAL ILLNESS <u>36</u> Amicus Brief filed by NATIONAL ALLIANCE ON MENTAL ILLNESS. (Attachments: # <u>1</u> AR Excerpts, # <u>2</u> Extra-Record Material (Part 1 of 2), # <u>3</u> Extra-Record Material (Part 2 of 2))(Higgins, Matthew) (Entered: 03/07/2019)
03/08/2019	<u>55</u>	NOTICE of Compliance with Court Order by DEANS, CHAIRS, AND SCHOLARS (Attachments: # <u>1</u> Table of Contents, # <u>2</u> Volume 1 of 21, # <u>3</u> Volume 2 of 21, # <u>4</u> Volume 3 of 21, # <u>5</u> Volume 4 of 21, # <u>6</u> Volume 5 of 21, # <u>7</u> Volume 6 of 21, # <u>8</u> Volume 7 of 21, # <u>9</u> Volume 8 of 21, # <u>10</u> Volume 9 of 21, # <u>11</u> Volume 10 of 21, # <u>12</u> Volume 11 of 21, # <u>13</u> Volume 12 of 21, # <u>14</u> Volume 13 of 21, # <u>15</u> Volume 14 of 21, # <u>16</u> Volume 15 of 21, # <u>17</u> Volume 16 of 21, # <u>18</u> Volume 17 of 21, # <u>19</u> Volume 18 of 21, # <u>20</u> Volume 19 of 21, # <u>21</u> Volume 20 of 21, # <u>22</u> Volume 21 of 21)(Waters, Edward) (Entered: 03/08/2019)
03/13/2019	<u>56</u>	NOTICE of Appearance by James Mahoney Burnham on behalf of All Defendants (Burnham, James) (Entered: 03/13/2019)
03/14/2019		Minute Entry for proceedings held before Judge James E. Boasberg: Motion Hearing held on 3/14/2019 re <u>27</u> MOTION for Summary Judgment filed by VERONICA WATSON, ADRIAN MCGONIGAL, RUSSELL COOK, CHARLES GRESHAM, CESAR ARDON, TRED A ROBINSON, ANNA BOOK, MARISOL ARDON, JAMIE DEYO, <u>39</u> MOTION for Summary Judgment filed by STATE OF ARKANSAS, <u>37</u> MOTION to Dismiss MOTION for Summary Judgment filed by SEEMA VERMA, UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES, CENTERS FOR MEDICARE AND MEDICAID SERVICES, ALEX M. AZAR, II. Oral arguments heard and motions taken under advisement. (Court Reporter Lisa Griffith) (znbn) (Entered: 03/14/2019)
03/27/2019	<u>57</u>	ORDER: The Court ORDERS that: 1) Plaintiffs' <u>27</u> Motion for Summary Judgment is GRANTED; 2) Defendants' <u>37</u> , <u>39</u> Cross-Motions for Summary Judgment are DENIED; 3) The Secretary's approval of the Arkansas Works Amendments is VACATED and REMANDED to the agency; and 4) The parties shall appear for a status hearing on April 10, 2019, at 11:00 a.m. Signed by Judge James E. Boasberg on 3/27/2019. (lcjeb1) (Entered: 03/27/2019)
03/27/2019	<u>58</u>	MEMORANDUM OPINION re <u>57</u> Order. Signed by Judge James E. Boasberg on 3/27/2019. (lcjeb1) (Entered: 03/27/2019)
03/28/2019		Set/Reset Hearings: Status Conference set for 4/10/2019 at 11:00 AM in Courtroom 25A before Judge James E. Boasberg. (lsj) (Entered: 03/28/2019)
04/03/2019	<u>59</u>	Joint MOTION for Entry of Final Judgment by ALEX M. AZAR, II, CENTERS FOR MEDICARE AND MEDICAID SERVICES, UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES, SEEMA VERMA (Attachments: # <u>1</u> Text of Proposed Order)(Andrapallyal, Vinita) (Entered: 04/03/2019)
04/04/2019	<u>60</u>	ORDER GRANTING <u>59</u> Joint Motion for Entry of Final Judgment. The Court ORDERS that: 1) Judgment is ENTERED on Count II of Plaintiffs' First Amended Complaint; 2) The remainder of the case is STAYED, including any deadline for attorney fees, pending any appeal by Defendants of the Court's ruling on Count II; 3) The parties shall update the Court within 14 days of the appeal deadline if no appeal is filed or, if an appeal is filed, within 14 days of the mandate issuing from the appeal; and 4) The status hearing set for April 10, 2019, at 11:00 a.m. is VACATED. Signed by Judge James E. Boasberg on 4/4/2019. (lcjeb1) (Entered: 04/04/2019)
04/04/2019		Case Stayed. (znbn) (Entered: 04/04/2019)
04/10/2019	<u>61</u>	NOTICE OF APPEAL TO DC CIRCUIT COURT as to <u>58</u> Memorandum & Opinion, <u>57</u> Order on Motion for Summary Judgment,, Order on Motion to Dismiss,,,, <u>60</u> Order

		on Motion for Entry of Final Judgment,, by SEEMA VERMA, ALEX M. AZAR, II, UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES, CENTERS FOR MEDICARE AND MEDICAID SERVICES. Fee Status: No Fee Paid. Parties have been notified. (Skurnik, Matthew) (Entered: 04/10/2019)
04/10/2019	<u>62</u>	NOTICE OF APPEAL TO DC CIRCUIT COURT as to <u>58</u> Memorandum & Opinion, <u>57</u> Order on Motion for Summary Judgment,, Order on Motion to Dismiss,,,, <u>60</u> Order on Motion for Entry of Final Judgment,, by STATE OF ARKANSAS. Fee Status: No Fee Paid. Parties have been notified. (Bronni, Nicholas) (Entered: 04/10/2019)
04/11/2019	<u>63</u>	Transmission of the Notice of Appeal, Order Appealed (Memorandum Opinion), and Docket Sheet to US Court of Appeals. The Court of Appeals docketing fee was not paid because the appeal was filed by the government re <u>61</u> Notice of Appeal to DC Circuit Court. (tth) (Entered: 04/11/2019)
04/11/2019	<u>64</u>	Transmission of the Notice of Appeal, Order Appealed (Memorandum Opinion), and Docket Sheet to US Court of Appeals. The Court of Appeals docketing fee was not paid because the appeal was filed by the government re <u>62</u> Notice of Appeal to DC Circuit Court. (tth) (Entered: 04/11/2019)
04/11/2019	<u>65</u>	<p>TRANSCRIPT OF PROCEEDINGS before Judge James E. Boasberg held on 3-14-19; Page Numbers: 1-44. Date of Issuance:4-11-19. Court Reporter/Transcriber Lisa Griffith, Telephone number (202) 354-3247, Transcripts may be ordered by submitting the Transcript Order Form</p> <p>For the first 90 days after this filing date, the transcript may be viewed at the courthouse at a public terminal or purchased from the court reporter referenced above. After 90 days, the transcript may be accessed via PACER. Other transcript formats, (multi-page, condensed, CD or ASCII) may be purchased from the court reporter.</p> <p>NOTICE RE REDACTION OF TRANSCRIPTS: The parties have twenty-one days to file with the court and the court reporter any request to redact personal identifiers from this transcript. If no such requests are filed, the transcript will be made available to the public via PACER without redaction after 90 days. The policy, which includes the five personal identifiers specifically covered, is located on our website at www.dcd.uscourts.gov.</p> <p>Redaction Request due 5/2/2019. Redacted Transcript Deadline set for 5/12/2019. Release of Transcript Restriction set for 7/10/2019.(Griffith, Lisa); Modified hearing date on 4/11/2019 (tth). (Entered: 04/11/2019)</p>
04/11/2019		USCA Case Number 19-5094 for <u>61</u> Notice of Appeal to DC Circuit Court, filed by SEEMA VERMA, CENTERS FOR MEDICARE AND MEDICAID SERVICES, UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES, ALEX M. AZAR, II. (zrdj) (Entered: 04/11/2019)
04/11/2019		USCA Case Number 19-5096 for <u>62</u> Notice of Appeal to DC Circuit Court, filed by STATE OF ARKANSAS. (zrdj) (Entered: 04/11/2019)
04/22/2019		USCA Appeal Fees received \$ 505 receipt number 4616097705 re <u>62</u> Notice of Appeal to DC Circuit Court, filed by STATE OF ARKANSAS (zrdj) (Entered: 04/22/2019)
04/22/2019	<u>66</u>	Supplemental Record on Appeal transmitted to US Court of Appeals re USCA Appeal Fees, <u>62</u> Notice of Appeal to DC Circuit Court ;USCA Appeal Fees received USCA Case Number 19-5096. (zrdj) (Entered: 04/22/2019)
04/08/2020	<u>67</u>	MANDATE of USCA as to <u>61</u> Notice of Appeal to DC Circuit Court, filed by SEEMA VERMA, CENTERS FOR MEDICARE AND MEDICAID SERVICES, UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES, ALEX M. AZAR, II, <u>62</u> Notice of Appeal to DC Circuit Court, filed by STATE OF ARKANSAS ; USCA Case Number 19-5094 Consolidated with 19-5096. (Attachments: # <u>1</u> USCA Judgment)(zrdj) (Entered: 04/08/2020)
04/08/2020		MINUTE ORDER: Given the issuance of the mandate by the Court of Appeals, this Court ORDERS the parties to file a joint status report by April 22, 2020, setting forth proposed next steps in this litigation. So ORDERED by Judge James E. Boasberg on

		4/8/2020. (lcjeb2) (Entered: 04/08/2020)
04/08/2020		Set/Reset Deadlines: Joint Status Report due by 4/22/2020. (nbn) (Entered: 04/09/2020)
04/16/2020	<u>68</u>	Joint STATUS REPORT by ALEX M. AZAR, II, CENTERS FOR MEDICARE AND MEDICAID SERVICES, UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES, SEEMA VERMA. (Andrapalliyal, Vinita) (Entered: 04/16/2020)
04/27/2020		MINUTE ORDER: The Court ORDERS that the parties shall file a Notice with the Court within 7 days of the matter becoming final and non–appealable. So ORDERED by Judge James E. Boasberg on 4/27/2020. (lcjeb2) (Entered: 04/27/2020)