

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

SAMUEL PHILBRICK, et al.,)	
)	
Plaintiffs,)	
)	
v.)	Civil Action No. 1:19-cv-00773 (JEB)
)	
ALEX M. AZAR II, et al.,)	
)	
Defendants.)	

[PROPOSED] ORDER

For the reasons stated in the accompanying Memorandum Opinion, it is hereby
ORDERED that the Defendants’ Motion for Summary Judgment be DENIED. It is
further

ORDERED that the Plaintiffs’ Motion for Summary Judgment on their Administrative
Procedure Act claims be GRANTED. It is further

ORDERED that the Secretary of the Department of Health and Human Services’
approval of New Hampshire’s Granite Advantage Section 1115 waiver request is vacated. It is
further

ORDERED that the Centers for Medicare & Medicaid Services’ January 11, 2018 letter
to State Medicaid Directors is vacated.

Date: _____.

HON. JAMES E. BOASBERG
UNITED STATES DISTRICT JUDGE