

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

THE AMERICAN HOSPITAL ASSOCIATION,)	
ASSOCIATION OF AMERICAN MEDICAL)	
COLLEGES, THE FEDERATION OF)	
AMERICAN HOSPITALS,)	
NATIONAL ASSOCIATION OF CHILDREN’S)	
HOSPITALS, INC., MEMORIAL COMMUNITY)	
HOSPITAL AND HEALTH SYSTEM,)	
PROVIDENCE HEALTH SYSTEM -)	
SOUTHERN CALIFORNIA d/b/a)	
PROVIDENCE HOLY CROSS MEDICAL)	
CENTER, and BOTHWELL REGIONAL)	
HEALTH CENTER,)	
)	
<i>Plaintiffs,</i>)	
)	
v.)	Civil Action No. 1:19-cv-3619
)	
ALEX M. AZAR II,)	
in his official capacity as SECRETARY OF)	
HEALTH AND HUMAN SERVICES,)	
)	
<i>Defendant.</i>)	

**[PROPOSED] ORDER GRANTING PLAINTIFFS’
MOTION FOR SUMMARY JUDGMENT**

Upon consideration of Plaintiffs’ Motion for Summary Judgment, the Memorandum in Support, any opposition or replies, and the arguments of counsel, it is hereby

ORDERED that Plaintiffs’ motion be **GRANTED**; and it is further

ORDERED that summary judgment shall **BE**, and it hereby **IS, GRANTED** in favor of Plaintiffs and against Defendant on all claims; and it is further

ORDERED that the Centers for Medicare & Medicaid Services (CMS) “Price Transparency Requirements for Hospitals To Make Standard Charges Public” Final Rule, 84

Fed. Reg. 65,524 (Nov. 27, 2019) (the Final Rule), shall **BE**, and hereby **IS**, declared unlawful and unenforceable for the reasons set forth in this Court's separate opinion; and it is further

ORDERED that the Final Rule shall **BE**, and hereby **IS**, **VACATED**; and it is further

ORDERED that Defendant is hereby **ENJOINED** from enforcing the Final Rule.

SO ORDERED, this ___ day of December 2019.

United States District Court Judge

Copies to:

Catherine E. Stetson
Susan M. Cook
HOGAN LOVELLS US LLP
555 Thirteenth Street, NW
Washington, DC 20004

Eric Beckenhauer
Assistant Director
U.S. Department of Justice
Civil Division, Federal Programs Branch
1100 L Street, NW
Washington, DC 20005