

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

CITY OF CHICAGO,

Plaintiff,

vs.

Case No. 1:20-cv-1566

ALEX M. AZAR, II, in his official capacity
as Secretary of the United States
Department of Health and Human
Services, et al.,

Defendants.

**[PROPOSED] ORDER GRANTING
PLAINTIFF'S MOTION FOR PRELIMINARY INJUNCTION**

Plaintiff the City of Chicago has moved for a preliminary injunction to compel Defendants to provide a special enrollment period on the 38 Affordable Care Act Exchanges managed in whole or in part by the federal government on the Healthcare.Gov platform in response to the novel coronavirus pandemic. Chicago alleges that Defendants' refusal to provide a special enrollment period violates the Affordable Care Act, its implementing regulations, and the Administrative Procedure Act. The Court has considered the parties' briefing, evidence, and arguments as well as the authorities cited in support of their positions. For the reasons set forth in Plaintiff's motion and supporting documents, the Court hereby ORDERS that:

1. Plaintiffs' Motion for Preliminary Injunction is GRANTED.
2. Defendants are hereby ENJOINED to provide a special enrollment period on the aforementioned Exchanges starting as of the date of this order and lasting for 60 days. That special enrollment period must allow consumers to enroll in coverage effective as of the first day of the month in which this order is issued.

3. Under the circumstances, the Court dispenses with the requirement that the movant give security for the issuance of the injunction. *See* Fed. R. Civ. P. 65(c).

SO ORDERED.

Dated: _____

United States District Judge

SERVICE LIST

Pursuant to Local Rule 7(k), the undersigned certifies that, because no attorney has yet appeared for Defendants, there are no attorneys other than counsel for Chicago who are entitled to be notified of the entry of this order. Chicago will instead serve a copy of this order with its motion on Defendants at the following addresses:

Alex M. Azar, II
United States Department of Health and Human Services
200 Independence Ave, SW
Washington, DC 20201

Seema Verma
Centers for Medicare and Medicaid Services
7500 Security Blvd,
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US Attorney's Office for the District of Columbia
555 4th St NW
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William Barr, Attorney General of the United States
Office of Attorney General of the United States
950 Pennsylvania Avenue, NW
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/s/ John T. Lewis
John T. Lewis