

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

A.M.C., et al.,)	
)	
Plaintiffs,)	
)	
v.)	NO. 3:20-cv-00240
)	
STEPHEN SMITH, in his official)	
capacity as Deputy Commissioner of)	
Finance and Administration and Director)	
of the Division of TennCare,)	
)	
Defendant.)	


ORDER

On February 19, 2021, the Court held a video status conference to discuss Defendant’s Notice of Filing (Doc. No. 98) and Motion for Leave to File a Supplemental Brief to Plaintiffs’ Motions for a Preliminary Injunction and Class Certification (Doc. Nos. 99, 99-1). For the reasons stated on the record, the Court finds that the Centers for Medicare & Medicaid Service’s (“CMS”) recent certification of TennCare’s Tennessee Eligibility Determination System (“TEDS”) is now a central issue in this case and may require additional discovery. The Court also finds that it would be improper to rule on the pending motions before the parties fully brief this new development.

Accordingly, Plaintiffs’ Motion for Class Certification (Doc. No. 12), Plaintiffs’ Motion for a Preliminary Injunction (Doc. No. 26), and Defendant’s Motion to Dismiss (Doc. No. 59) are **DENIED WITHOUT PREJUDICE**. The parties may file renewed motions that address CMS’s certification of TEDS, but they shall not do so until at least thirty (30) days after the Magistrate Judge files a notice on the docket stating that the pending motion to compel (Doc. No. 104) and any related discovery issues have been resolved. The parties are reminded that any new memorandum of law shall not incorporate by reference prior filed documents. Defendant’s Motion for Leave to File a Supplemental

Brief (Doc. No. 99) is **DENIED AS MOOT**.

IT IS SO ORDERED.



WAVERLY D. CRENSHAW, JR.
CHIEF UNITED STATES DISTRICT JUDGE