

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
WICHITA FALLS DIVISION**

FRANCISCAN ALLIANCE, INC.;
SPECIALTY PHYSICIANS OF
ILLINOIS, LLC.;
CHRISTIAN MEDICAL &
DENTAL ASSOCIATIONS;

- and -

STATE OF TEXAS;
STATE OF WISCONSIN;
STATE OF NEBRASKA;
COMMONWEALTH OF
KENTUCKY, by and through
Governor Matthew G. Bevin;
STATE OF KANSAS; STATE OF
LOUISIANA; STATE OF
ARIZONA; and STATE OF
MISSISSIPPI, by and through
Governor Phil Bryant,

Plaintiffs,

v.

THOMAS E. PRICE, Secretary
of the United States Department of
Health and Human Services; and
UNITED STATES DEPARTMENT OF
HEALTH AND HUMAN SERVICES,

Defendants.

**BRIEF IN SUPPORT OF
PLAINTIFFS' MOTION FOR
SUMMARY JUDGMENT**

Civ. Action No. 7:16-cv-00108-O

ARGUMENT

Plaintiffs adopt and incorporate by reference, as if fully stated herein, the arguments and evidence—consisting of the same evidence submitted to the Court at the preliminary injunction stage—presented in support of their prior motions for partial summary judgment and preliminary injunction, ECF Nos. 22, 23, 24, 25, 26, 37, 56, 56-1, 57, 57-1, and 60 and ask the Court to consider those submissions in support of this Motion.

CONCLUSION

Plaintiffs respectfully request that the Court issue a permanent injunction against the Rule and enter final judgment in their favor and against Defendants.

Respectfully submitted this the 14th day of March, 2017.

/s/ Luke W. Goodrich

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WISCONSIN; STATE OF

NEBRASKA; COMMONWEALTH

OF KENTUCKY, by and through

Governor Matthew G. Bevin;

STATE OF KANSAS; STATE OF

LOUISIANA; STATE OF ARIZONA; and

STATE OF MISSISSIPPI, by and through

Governor Phil Bryant

CERTIFICATE OF SERVICE

I hereby certify that on March 14, 2017, I electronically filed the foregoing document through the Court's ECF system, which automatically serves notification of the filing on counsel for all parties.

/s/ Austin R. Nimocks
AUSTIN R. NIMOCKS