

**IN UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
TYLER DIVISION**

**DATE:** 12/3/2024

**DISTRICT JUDGE:** J. Campbell Barker

**COURT REPORTER:** Ed Reed                      **COURTROOM DEPUTY:** Nicole Cadenhead

Case No. 6:24-cv-178	Start Time: 9:05 am
ManhattanLife Insurance and Annuity Company et al v. United States Department of Health and Human Services et al.	End Time: 10:22 am

ATTORNEYS FOR PLAINTIFFS	ATTORNEYS FOR DEFENDANTS
Cody Akins Eric McArthur	James Bickford

On this day, came the parties by their attorneys and the following proceedings were held in Tyler, Texas:

TIME:	MINUTES: Hearing on [23] Motion for summary judgment and [27] Motion to dismiss and cross motion for summary judgment
9:05 am	The court called the case.
9:06 am	Eric McArthur and Cody Akins announced for plaintiffs and James Bickford announced for defendants.
9:07 am	The court addressed several claims in the motion for summary judgment, standing, and venue with the parties. Motions based on venue are denied.
9:15 am	Mr. McArthur began argument.
9:29 am	Mr. Bickford began argument.
9:53 am	Mr. McArthur provided further argument.
10:05 am	Mr. Bickford provided further argument.

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<b>TIME:</b>	<b>MINUTES: Hearing on [23] Motion for summary judgment and [27] Motion to dismiss and cross motion for summary judgment</b>
10:07 am	For the reasons stated on the record, the court ruled that plaintiffs' motion for summary judgment is granted as to the claim that the rule making exceeded statutory authority and the notice and comment claim and denied with respect to the arbitrary and capricious claims. Defendants' cross motion for summary judgment is granted with respect to the arbitrary and capricious claims and denied with respect to claim that the rule making exceeded statutory authority and notice and comment claim. A final judgment will be issued forthwith.
10:22 am	Adjourned.