

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION

ELEVANCE HEALTH, INC.; COMMUNITY
INSURANCE COMPANY; FREEDOM
HEALTH, INC.; GROUP RETIREE HEALTH
SOLUTIONS, INC.; WELLPOINT
INSURANCE COMPANY; and WELLPOINT
TEXAS, INC.,

Plaintiffs,

v.

ROBERT F. KENNEDY, JR., in his official
capacity as Secretary of Health and Human
Services; and STEPHANIE CARLTON, in her
official capacity as Acting Administrator of the
Centers for Medicare & Medicaid Services,

Defendants.¹

Civil Action No. 4:24-cv-01064-P

**DEFENDANTS' RESPONSE
TO PLAINTIFFS' MOTION FOR SUMMARY JUDGMENT**

Defendants, Robert F. Kennedy, Jr., in his official capacity as Secretary of Health and Human Services, and Stephanie Carlton, in her official capacity as Acting Administrator of Centers for Medicare and Medicaid Services, file this response in opposition to Plaintiffs' Motion for Summary Judgment, ECF No. 31.

¹ Xavier Becerra has been substituted with Robert F. Kennedy, Jr. as Secretary of the United States Department of Health and Human Services, and Chiquita Brooks-LaSure has been substituted with Stephanie Carlton as Acting Administrator of the Centers for Medicare & Medicaid Services, pursuant to Federal Rule of Civil Procedure 25(d).

This response is accompanied by a consolidated brief that contains the contents required by Local Civil Rule 56.4(a).

Respectfully submitted,

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Certificate of Service

On March 21, 2025, I electronically submitted the foregoing document with the clerk of court for the U.S. District Court, Northern District of Texas, using the electronic case filing system of the court. I hereby certify that I have served all parties electronically or by another manner authorized by Federal Rule of Civil Procedure 5(b)(2).

/s/ Andrea Hyatt
Andrea Hyatt
Assistant United States Attorney