

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS**

HUMANA INC. *and* AMERICANS FOR  
BENEFICIARY CHOICE,

*Plaintiffs,*

*v.*

U.S. DEPARTMENT OF HEALTH AND  
HUMAN SERVICES, *et al.*,

*Defendants.*

Case No. 24-cv-01004-O

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

Plaintiffs, Humana Inc. and Americans for Beneficiary Choice, file this response in opposition to Defendants' Cross-Motion for Summary Judgment (Dkt. 37). This response is accompanied by a consolidated brief containing the contents required by Local Rule 56.4(a).

Dated: February 19, 2025

Respectfully submitted,

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### **CERTIFICATE OF SERVICE**

Undersigned counsel certifies that a true and correct copy of this document was served via CM/ECF on all counsel of record on February 19, 2025.

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