

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION

STATE OF MISSISSIPPI; STATE OF ALABAMA; STATE OF ARKANSAS; COMMONWEALTH OF KENTUCKY; STATE OF LOUISIANA; STATE OF MISSOURI; and STATE OF MONTANA,

Plaintiffs,

v.

XAVIER BECERRA, in his official capacity as Secretary of Health and Human Services; THE UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES; CHIQUITA BROOKS-LASURE, in her official capacity as Administrator of the Centers for Medicare and Medicaid Services; THE CENTERS FOR MEDICARE AND MEDICAID SERVICES; THE UNITED STATES OF AMERICA,

Defendants.

Case No. 1:22-cv-113-HSO-RPM

Plaintiffs' Post-Discovery Motion for Summary Judgment

**PLAINTIFFS' POST-DISCOVERY
MOTION FOR SUMMARY JUDGMENT**

Pursuant to Federal Rule of Civil Procedure 56, Plaintiffs—the States of Mississippi, Alabama, Arkansas, Louisiana, Missouri, and Montana and the Commonwealth of Kentucky—move for summary judgment on the sole claim of the amended complaint that the Anti-Racism Rule is unlawful and ultra vires. *See* Doc. 28.

¶¶57-65. Plaintiffs' motion is premised on the attached declarations and exhibits, and

the points and authorities set forth in their accompanying Memorandum of Law in Support of Plaintiffs' Post-Discovery Motion for Summary Judgment, filed contemporaneous with this motion. Accordingly, Plaintiffs request an order granting Plaintiffs' motion for summary judgment and entry of judgment granting Plaintiffs all relief requested in the amended complaint. *See* Doc. 28 at 18.

Dated: October 15, 2024

Respectfully submitted,

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CERTIFICATE OF SERVICE
I e-filed this motion with the Court, which will email everyone requiring
service.

Dated: October 15, 2024

s/ Cameron T. Norris