

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

A.M.C., by her next friend, C.D.C., et al.,)	
)	
Plaintiffs,)	
)	
v.)	No. 3:20-cv-00240
)	
STEPHEN SMITH, in his official)	
capacity as Deputy Commissioner of)	
Finance and Administration and Director)	
of the Division of TennCare,)	
)	
Defendant.)	


ORDER

For the reasons set forth in the accompanying Memorandum Opinion, the Court concludes that Defendant Stephen Smith violated the Plaintiff Class members’ rights under the Due Process Clause of the Fourteenth Amendment to the Constitution and Title XIX of the Social Security Act, 42 U.S.C. § 1396, *et seq*; and violated the Plaintiff Disability Subclass members’ rights under the Americans with Disabilities Act, 42 U.S.C. § 12132.

Prior to any hearing and argument on the scope of injunctive relief, the parties shall make two earnest, in-person attempts at mediation with an agreed-upon mediator. The parties shall notify the Court of their agreed-upon mediator within 30 days of this Order. The first attempt shall begin within **120 days** of the selection of the agreed mediator, and, if the parties have not resolved the case, the second shall begin no later than **60 days** after the conclusion of the first mediation attempt. In the interim, the Clerk shall **ADMINISTRATIVELY CLOSE** this case.

The parties shall notify the Court no later than **3 days** after they resolve the case or the conclusion of the second mediation if no resolution is reached. If necessary, the parties shall jointly request to reopen the case and propose a schedule on any remaining issues in that same notice.

IT IS SO ORDERED.



WAVERLY D CRENSHAW, JR.
UNITED STATES DISTRICT JUDGE