

EUNICE SMITH, et al.
Plaintiffs

v.

S. ANTHONY McCANN, et al.
Defendants

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IN THE
CIRCUIT COURT
FOR BALTIMORE CITY
Case No.: 24-C-05-007421

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ORDER

In accordance with a Memorandum of even date, it is this 18th day of January, 2008,


ORDERED that Plaintiffs' Motion for Partial Summary Judgment be and it hereby is **GRANTED**, and further

ORDERED that Defendants' Motion for Partial Summary Judgment be and it hereby is **DENIED**, and further

ORDERED that as set forth in the Memorandum there is no genuine dispute that defendants' policy of denying deductions for pre-eligibility expenses violated the Medicaid statute, 42 U.S.C. § 1396a(r)(1)(A), and further

ORDERED that as set forth in the Memorandum there is no genuine dispute that by the adoption of SPA 04-27 defendants did not promulgate any regulation in accordance with Maryland law to establish reasonable limits on the deduction of pre-eligibility expenses.

TRUE COPY
TEST



FRANK W. ... CLERK

W. MICHEL PIERSON
Judge's Signature on Original Document Only -
Judge W. Michel Pierson

