## IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF TEXAS WICHITA FALLS DIVISION

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TEXAS, KANSAS, LOUISIANA, INDIANA, WISCONSIN, and NEBRASKA,

Plaintiffs,

v.

UNITED STATES OF AMERICA, UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES, ALEX AZAR, in his Official Capacity as SECRETARY OF HEALTH AND HUMAN SERVICES, UNITED STATES INTERNAL REVENUE SERVICE, AND CHARLES P. RETTIG, in his Official Capacity as COMMISSIONER OF INTERNAL REVENUE,

Defendants.

Civil Action No. 7:15-CV-00151-O

## JOINT NOTICE SUPPLEMENTING THE JUNE 7, 2019 JOINT STATUS REPORT

Plaintiffs and Defendants (collectively, the "Parties"), by and through their counsel, and pursuant to the Court's Order, ECF No. 136, hereby submit the following joint notice supplementing their June 7, 2019 joint status report:

On June 7, 2019, the Parties filed a joint status report that provided the Court with their agreement as to reasonable approximations of the amount each Plaintiff State paid to account for its MCOs' HIPF payments for Medicaid and CHIP premiums for 2014–2016 for the purposes of the Court's award of equitable disgorgement in this matter. The Parties now wish to supplement that joint status report with detail on

the Parties' agreement as to how the reasonable approximations of the amount each Plaintiff State paid to account for its MCOs' HIPF payments for Medicaid and CHIP premiums for 2014–2016 is allocated by year.

The following table provides the Court with this additional information:

State	2014	2015	2016	Total
				(as Provided in June 7 Joint
				Status Report)
TX	\$82,189,553.00	\$105,738,576.00	\$108,050,362.00	\$295,978,491.00
KS	\$13,657,121.00	\$22,495,820.00	\$20,403,057.00	\$56,555,998.00
LA	\$12,290,652.02	\$17,014,999.26	\$34,495,921.88	\$63,801,573.16
IN	\$4,421,245.00	\$4,537,910.00	\$7,751,354.00	\$16,710,509.00
WI	\$6,992,133.83	\$7,572,784.14	\$8,653,911.11	\$23,218,829.08
NE	\$5,392,992.00	\$9,412,689.00	\$8,329,962.00	\$23,135,643.00

The Parties maintain all of their representations and preserve all rights as stated in the June 7, 2019 joint status report.

Respectfully submitted this 19th day of June, 2019.

DEREK SCHMIDT
Attorney General of Kansas
JEFF LANDRY
Attorney General of Louisiana
CURTIS HILL
Attorney General of Indiana
JOSH KAUL
Attorney General of Wisconsin
DOUG PETERSON
Attorney General of Nebraska

KEN PAXTON Attorney General of Texas JEFFREY C. MATEER First Assistant Attorney General RYAN L. BANGERT Deputy Attorney General for Legal Counsel

/s/David J. Hacker
DAVID J. HACKER
Special Counsel for Civil Litigation
Texas Bar No. 24103323
david.hacker@oag.texas.gov
RANDALL MILLER
Assistant Attorney General
Texas Bar No. 24092838
randall.miller@oag.texas.gov

OFFICE OF THE ATTORNEY GENERAL P.O. Box 12548, Mail Code 001 Austin, Texas 78711-2548 Tel: 512-936-1414 COUNSEL FOR PLAINTIFFS

JOSEPH H. HUNT Assistant Attorney General

ERIN NEALY COX United States Attorney

JENNIFER D. RICKETTS Director, Federal Programs Branch

MICHELLE R. BENNETT CO Bar No. 37050 Assistant Branch Director

/s/Julie Straus Harris
JULIE STRAUS HARRIS
DC Bar No. 1021928
Trial Attorney

U.S. Department of Justice Civil Division, Federal Programs Branch 1100 L Street NW, Room 11514 Washington, DC 20530 Tel: (202) 353-7633 Fax: (202) 616-8470 E-mail: Julie.StrausHarris@usdoj.gov

COUNSEL FOR DEFENDANTS

## CERTIFICATE OF CONFERENCE

I hereby certify that counsel for Plaintiffs and Defendants jointly prepared this document. Counsel for Defendants authorized Plaintiffs to place her electronic signature on this document.

/s/ David J. Hacker
DAVID J. HACKER

## CERTIFICATE OF SERVICE

I hereby certify that on June 19, 2019, I electronically filed the foregoing document through the Court's ECF system.

<u>/s/ David J. Hacker</u> DAVID J. HACKER