

**IN UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
TYLER DIVISION**

**DATE: February 4, 2022**

**DISTRICT JUDGE**  
**Jeremy D. Kernodle**

**COURT REPORTER: Shelly Holmes**  
**COURTROOM DEPUTY: Suzanne Wimberley**

Texas Medical Association, et al

v.

United States Department of Health and Human  
Services, et al

4:21CV425

| <b>ATTORNEYS FOR PLAINTIFF</b> | <b>ATTORNEYS FOR DEFENDANTS</b>         |
|--------------------------------|---|
| Eric McArthur                  | Joel McElvain (appeared by video/phone) |
| Brenna Jenny                   | James Gillingham                        |

On this day, came the parties by their attorneys and the following proceedings were held in Tyler, TX:

| <b>TIME:</b> | <b>MINUTES: Hearing on Summary Judgment Motions</b>   |
|--------------|---|
| 2:03 p.m.    | Court calls the case; appearances noted.  |
| 2:05 p.m.    | Plaintiff's attorney (McArthur) makes remarks; summary of plaintiff's case; begins arguments. |
| 2:47 p.m.    | McArthur rests; McElvain (Defendant's attorney) begins arguments.                             |
| 3:01 p.m.    | Court in recess.  |
| 3:04 p.m.    | Court resumes; McElvain continues.  |
| 3:09 p.m.    | Court in recess.  |
| 3:14 p.m.    | Court resumes; McElvain continues.  |
| 3:28 p.m.    | McArthur response.  |
| 3:39 p.m.    | McElvain replies to McArthur's response.  |
| 3:43 p.m.    | McElvain rests.   |
| 3:43 p.m.    | Court takes the motion under advisement. Court adjourns.                                      |

DAVID O'TOOLE, CLERK

BY: Suzanne Wimberley  
Courtroom Deputy Clerk