

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

54065B

THE GRAY PANTHERS
PROJECT FUND, et al.,

Plaintiffs,

v.

Civil Action No. 01-1374 (HHK)

TOMMY G. THOMPSON, Secretary of
Health and Human Services,

Defendant.

FILED

AUG 09 2001

NANCY MAYER WHITTINGTON, CLERK
U.S. DISTRICT COURT

ORDER

For the reasons stated by the court in its oral ruling, it is this 9th day of August, 2001,
' hereby

ORDERED that plaintiffs' motion for a preliminary injunction is **GRANTED**; and it is
further

ORDERED that defendant, his successors in **office**, his agents, employees, and all
persons acting in concert with him, are enjoined from declining to comply with the requirements
of 42 U.S.C. § 1395w-21(d) and are accordingly directed to, at least 15 days before the beginning
of the contract year 2002 coordinated election period, mail to each **Medicare+Choice** eligible
individual residing in an area the information specified in 42 U.S.C. § 1395w-21 (d), including,
inter alia, the information required under 42 U.S.C. § 1395w-21(d)(2)(A)(ii) to be presented in a
comparative form; and it is further

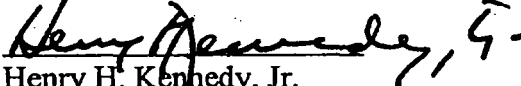
ORDERED that the parties shall be present for a hearing in this case on Monday,
September 17, 2001, at 10 am., at which time the Secretary shall inform the court of all efforts

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being taken to comply with this order and the requirements of § 1395w-21(d); and it is further

ORDERED that by no later than 4:30 p.m. on Friday, September 14, 2001, the Secretary shall file with the court, and deliver to chambers, a report detailing all efforts being made to comply with this order and the requirements of § 1395w-21(d). This report also shall be served on counsel for plaintiffs.


Henry H. Kennedy, Jr.
United States District Judge