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**From:** "Saslaw, Alexandra R. (CIV)" [REDACTED] (b)(6)  
**Sent:** 8/31/2023 12:43:44 PM -0400  
**To:** "Campbell, Matthew (HHS/OGC)" <Matthew.Campbell@hhs.gov>; "Howe, Rory (CMS/CMCS)" <Rory.Howe@cms.hhs.gov>; "Giles, John (CMS/CMCS)" <John.Giles1@cms.hhs.gov>  
**CC:** "Hoskins, David (HHS/OGC)" <David.Hoskins@hhs.gov>; "Vogel, Jeremy (HHS/OGC)" <Jeremy.Vogel@hhs.gov>; "Kaiser, Bridgette (HHS/OGC)" <Bridgette.Kaiser@hhs.gov>  
**Subject:** RE: RE: PI Motion in Florida Hold Harmless Litigation

That works for me.

---

**From:** Campbell, Matthew (HHS/OGC) <Matthew.Campbell@hhs.gov>  
**Sent:** Thursday, August 31, 2023 12:42 PM  
**To:** Howe, Rory (CMS/CMCS) <Rory.Howe@cms.hhs.gov>; Giles, John (CMS/CMCS) <John.Giles1@cms.hhs.gov>  
**Cc:** Saslaw, Alexandra R. (CIV) [REDACTED] (b)(6) Hoskins, David (HHS/OGC) <David.Hoskins@hhs.gov>; Vogel, Jeremy (HHS/OGC) <Jeremy.Vogel@hhs.gov>; Kaiser, Bridgette (HHS/OGC) <Bridgette.Kaiser@hhs.gov>  
**Subject:** [EXTERNAL] RE: PI Motion in Florida Hold Harmless Litigation

That works for me. Alex, does that work for you?

---

**From:** Howe, Rory (CMS/CMCS) <[Rory.Howe@cms.hhs.gov](mailto:Rory.Howe@cms.hhs.gov)>  
**Sent:** Thursday, August 31, 2023 12:39 PM  
**To:** Campbell, Matthew (HHS/OGC) <[Matthew.Campbell@hhs.gov](mailto:Matthew.Campbell@hhs.gov)>; Giles, John (CMS/CMCS) <[John.Giles1@cms.hhs.gov](mailto:John.Giles1@cms.hhs.gov)>  
**Cc:** Saslaw, Alexandra R. (CIV) [REDACTED] (b)(6) Hoskins, David (HHS/OGC) <[David.Hoskins@hhs.gov](mailto:David.Hoskins@hhs.gov)>; Vogel, Jeremy (HHS/OGC) <[Jeremy.Vogel@hhs.gov](mailto:Jeremy.Vogel@hhs.gov)>; Kaiser, Bridgette (HHS/OGC) <[Bridgette.Kaiser@hhs.gov](mailto:Bridgette.Kaiser@hhs.gov)>  
**Subject:** RE: PI Motion in Florida Hold Harmless Litigation

Hi, Matt. Thanks for connecting today. Sorry for the delayed response. Would 10AM EDT work tomorrow?

---

**From:** Campbell, Matthew (HHS/OGC) <[Matthew.Campbell@hhs.gov](mailto:Matthew.Campbell@hhs.gov)>  
**Sent:** Tuesday, August 29, 2023 4:02 PM  
**To:** Howe, Rory (CMS/CMCS) <[Rory.Howe@cms.hhs.gov](mailto:Rory.Howe@cms.hhs.gov)>; Giles, John (CMS/CMCS) <[John.Giles1@cms.hhs.gov](mailto:John.Giles1@cms.hhs.gov)>  
**Cc:** Saslaw, Alexandra R. (CIV) [REDACTED] (b)(6) Hoskins, David (HHS/OGC) <[David.Hoskins@hhs.gov](mailto:David.Hoskins@hhs.gov)>; Vogel, Jeremy (HHS/OGC)

<[Jeremy.Vogel@hhs.gov](mailto:Jeremy.Vogel@hhs.gov)>; Kaiser, Bridgette (HHS/OGC) <[Bridgette.Kaiser@hhs.gov](mailto:Bridgette.Kaiser@hhs.gov)>  
**Subject:** PI Motion in Florida Hold Harmless Litigation

Rory and John,

(b)(5)

Matt

Matthew A. Campbell

Attorney

Office of the General Counsel – CMS Division

U.S. Department of Health & Human Services

330 Independence Ave. S.W.

Cohen Building, Room 5316

Washington, D.C. 20201

(202) 240-3275 (office)

(b)(6)

(mobile)

---

**From:** "Hoskins, David (HHS/OGC)" <David.Hoskins@hhs.gov>  
**Sent:** 8/31/2023 12:46:50 PM -0400  
**To:** "Vogel, Jeremy (HHS/OGC)" <Jeremy.Vogel@hhs.gov>; "Saslaw, Alexandra R. (CIV)" (b)(6) "Campbell, Matthew (HHS/OGC)" <Matthew.Campbell@hhs.gov>; "Howe, Rory (CMS/CMCS)" <Rory.Howe@cms.hhs.gov>; "Giles, John (CMS/CMCS)" <John.Giles1@cms.hhs.gov>  
**CC:** "Kaiser, Bridgette (HHS/OGC)" <Bridgette.Kaiser@hhs.gov>  
**Subject:** RE: RE: PI Motion in Florida Hold Harmless Litigation

Me too.

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---

**From:** Vogel, Jeremy (HHS/OGC) <Jeremy.Vogel@hhs.gov>  
**Sent:** Thursday, August 31, 2023 12:45 PM  
**To:** Saslaw, Alexandra R. (CIV) (b)(6) Campbell, Matthew (HHS/OGC) <Matthew.Campbell@hhs.gov>; Howe, Rory (CMS/CMCS) <Rory.Howe@cms.hhs.gov>; Giles, John (CMS/CMCS) <John.Giles1@cms.hhs.gov>  
**Cc:** Hoskins, David (HHS/OGC) <David.Hoskins@hhs.gov>; Kaiser, Bridgette (HHS/OGC) <Bridgette.Kaiser@hhs.gov>  
**Subject:** Re: PI Motion in Florida Hold Harmless Litigation

I can also join then.

Jeremy Vogel (he/him)  
Attorney, DHHS/OGC/CMDS  
(202) 205-8778 | [Jeremy.Vogel@hhs.gov](mailto:Jeremy.Vogel@hhs.gov)

---

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**Cc:** Hoskins, David (HHS/OGC) <[David.Hoskins@hhs.gov](mailto:David.Hoskins@hhs.gov)>; Vogel, Jeremy (HHS/OGC)

<[Jeremy.Vogel@hhs.gov](mailto:Jeremy.Vogel@hhs.gov)>; Kaiser, Bridgette (HHS/OGC) <[Bridgette.Kaiser@hhs.gov](mailto:Bridgette.Kaiser@hhs.gov)>  
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**Subject:** [EXTERNAL] RE: PI Motion in Florida Hold Harmless Litigation

That works for me. Alex, does that work for you?

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**From:** Howe, Rory (CMS/CMCS) <[Rory.Howe@cms.hhs.gov](mailto:Rory.Howe@cms.hhs.gov)>  
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**To:** Campbell, Matthew (HHS/OGC) <[Matthew.Campbell@hhs.gov](mailto:Matthew.Campbell@hhs.gov)>; Giles, John (CMS/CMCS) <[John.Giles1@cms.hhs.gov](mailto:John.Giles1@cms.hhs.gov)>  
**Cc:** Saslaw, Alexandra R. (CIV) (b)(6); Hoskins, David (HHS/OGC) <[David.Hoskins@hhs.gov](mailto:David.Hoskins@hhs.gov)>; Vogel, Jeremy (HHS/OGC) <[Jeremy.Vogel@hhs.gov](mailto:Jeremy.Vogel@hhs.gov)>; Kaiser, Bridgette (HHS/OGC) <[Bridgette.Kaiser@hhs.gov](mailto:Bridgette.Kaiser@hhs.gov)>  
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**To:** Howe, Rory (CMS/CMCS) <[Rory.Howe@cms.hhs.gov](mailto:Rory.Howe@cms.hhs.gov)>; Giles, John (CMS/CMCS) <[John.Giles1@cms.hhs.gov](mailto:John.Giles1@cms.hhs.gov)>  
**Cc:** Saslaw, Alexandra R. (CIV) (b)(6); Hoskins, David (HHS/OGC) <[David.Hoskins@hhs.gov](mailto:David.Hoskins@hhs.gov)>; Vogel, Jeremy (HHS/OGC) <[Jeremy.Vogel@hhs.gov](mailto:Jeremy.Vogel@hhs.gov)>; Kaiser, Bridgette (HHS/OGC) <[Bridgette.Kaiser@hhs.gov](mailto:Bridgette.Kaiser@hhs.gov)>  
**Subject:** PI Motion in Florida Hold Harmless Litigation

Rory and John,

**(b)(5)**

Matt

Matthew A. Campbell

Attorney

Office of the General Counsel â€“ CMS Division

U.S. Department of Health & Human Services

330 Independence Ave. S.W.

Cohen Building, Room 5316

Washington, D.C. 20201

(202) 240-3275 (office)

**(b)(6)**

(mobile)

---

**From:** "Campbell, Matthew (HHS/OGC)" <Matthew.Campbell@hhs.gov>  
**Sent:** 8/29/2023 4:01:44 PM -0400  
**To:** "Howe, Rory (CMS/CMCS)" <Rory.Howe@cms.hhs.gov>; "Giles, John (CMS/CMCS)" <John.Giles1@cms.hhs.gov>  
**CC:** "Saslaw, Alexandra R. (CIV)" <(b)(6)>; "Hoskins, David (HHS/OGC)" <David.Hoskins@hhs.gov>; "Vogel, Jeremy (HHS/OGC)" <Jeremy.Vogel@hhs.gov>; "Kaiser, Bridgette (HHS/OGC)" <Bridgette.Kaiser@hhs.gov>  
**Subject:** PI Motion in Florida Hold Harmless Litigation  
**Attachments:** 23-cv-61595-WPD - PI Motion.zip  
Rory and John,

(b)(5)

(b)(5)

Matt

Matthew A. Campbell  
Attorney  
Office of the General Counsel – CMS Division  
U.S. Department of Health & Human Services  
330 Independence Ave. S.W.  
Cohen Building, Room 5316  
Washington, D.C. 20201  
(202) 240-3275 (office)  
(b)(6) (mobile)

**From:** "Howe, Rory (CMS/CMCS)" (b)(6)  
**Sent:** 2/27/2023 2:14:34 PM -0500  
**To:** "Arnold, Charlie (CMS/CMCS)" <Charlie.Arnold@cms.hhs.gov>  
**CC:** "Maccarroll, Amber (CMS/CMCS)" <Amber.MacCarroll@cms.hhs.gov>; "Silanskis, Jeremy (CMS/CMCS)" <Jeremy.Silanskis@cms.hhs.gov>; "Clark, Jennifer (CMS/CMCS)" <Jennifer.Clark@cms.hhs.gov>; "Spencer, Rene (CMS/CMCS)" <Rene.Spencer@cms.hhs.gov>; "Walker, Abigail (CMS/CMCS)" <Abigail.Walker@cms.hhs.gov>  
**Subject:** RE: RE: [EXTERNAL] RE: FAHCA v. HHS  
+ Abby

---

**From:** Arnold, Charlie (CMS/CMCS) <Charlie.Arnold@cms.hhs.gov>  
**Sent:** Monday, February 27, 2023 8:25 AM  
**To:** Howe, Rory (CMS/CMCS) <Rory.Howe@cms.hhs.gov>  
**Cc:** Maccarroll, Amber (CMS/CMCS) <Amber.MacCarroll@cms.hhs.gov>; Silanskis, Jeremy (CMS/CMCS) <Jeremy.Silanskis@cms.hhs.gov>; Clark, Jennifer (CMS/CMCS) <Jennifer.Clark@cms.hhs.gov>; Spencer, Rene (CMS/CMCS) <Rene.Spencer@cms.hhs.gov>  
**Subject:** FW: [EXTERNAL] RE: FAHCA v. HHS

Good morning Rory,

(b)(5)

(b)(5)

I have a lot of numbers in the email. Please let me know if you have any questions or need me to explain anything further.

Thanks,

Charlie Arnold

Director

CMCS/FMG/DFP

(443) 962-2499

Any opinion expressed in this email communication does not represent the opinion of the agency and will not bind or obligate CMS. CMS has relied on the facts and information presented and if any material facts have not been disclosed, any opinion/advice is without force and effect. Any advice is limited to the facts presented and is part of informal discussions of the issues raised.

---

**From:** Lewis, Howard H. (HHS/OGC) <[Howard.Lewis@HHS.GOV](mailto:Howard.Lewis@HHS.GOV)>

**Sent:** Friday, February 24, 2023 4:15 PM

**To:** Arnold, Charlie (CMS/CMCS) <[Charlie.Arnold@cms.hhs.gov](mailto:Charlie.Arnold@cms.hhs.gov)>

**Subject:** FW: [EXTERNAL] RE: FAHCA v. HHS

Hi Charlie,

(b)(5)

(b)(5)

Please let me know what CMS thinks. If you want to set up a conference call with us to discuss this, we can do that as well. Thanks.

---

**From:** Romero, Kelsi (USAFLS) (b)(6)  
**Sent:** Tuesday, February 21, 2023 1:49 PM  
**To:** Lewis, Howard H. (HHS/OGC) <[Howard.Lewis@HHS.GOV](mailto:Howard.Lewis@HHS.GOV)>  
**Cc:** Williams, Audrey (HHS/OGC) <[Audrey.Williams@hhs.gov](mailto:Audrey.Williams@hhs.gov)>  
**Subject:** RE: [EXTERNAL] RE: FAHCA v. HHS

Howard,

(b)(5)

**Kelsi R. Romero**

*Assistant United States Attorney*

United States Attorney's Office

Civil Division

99 Northeast Fourth Street

Miami, Florida 33132-2111

Office Direct: (b)(6)

Office Cell: (b)(6)

Email: [Kelsi.Romero@usdoj.gov](mailto:Kelsi.Romero@usdoj.gov)



---

**From:** Lewis, Howard H. (HHS/OGC) <[Howard.Lewis@HHS.GOV](mailto:Howard.Lewis@HHS.GOV)>  
**Sent:** Monday, November 21, 2022 11:44 AM  
**To:** Romero, Kelsi (USAFLS) (b)(6)  
**Cc:** Williams, Audrey (HHS/OGC) <[Audrey.Williams@hhs.gov](mailto:Audrey.Williams@hhs.gov)>  
**Subject:** RE: [EXTERNAL] RE: FAHCA v. HHS

Hi Kelsi,

(b)(5)

---

**From:** Romero, Kelsi (USAFLS) (b)(6)  
**Sent:** Monday, November 21, 2022 11:30 AM  
**To:** Lewis, Howard H. (HHS/OGC) <[Howard.Lewis@HHS.GOV](mailto:Howard.Lewis@HHS.GOV)>  
**Subject:** FW: [EXTERNAL] RE: FAHCA v. HHS

Hi Howard,

Got an update from opposing counsel, below. (b)(5)

(b)(5)

(b)(5)

Let me know. Thanks!

**Kelsi R. Romero**

*Assistant United States Attorney*

United States Attorney's Office

Civil Division

99 Northeast Fourth Street

Miami, Florida 33132-2111

Office Direct: 305-961-9159

Office Cell: (b)(6)

Email: [Kelsi.Romero@usdoj.gov](mailto:Kelsi.Romero@usdoj.gov)



---

**From:** Caroline Brown <[Cbrown@brownandpeisch.com](mailto:Cbrown@brownandpeisch.com)>

**Sent:** Monday, November 21, 2022 11:26 AM

**To:** Romero, Kelsi (USAFLS) (b)(6)

**Subject:** RE: [EXTERNAL] RE: FAHCA v. HHS

Hi Kelsi,

I wanted to let you know that AHCA is still discussing the settlement proposal – I don't yet have a time when I will get back to you. Thanks for your patience. In the meantime, two of the disputes (the one arising out of the OIG's audit of Jackson, and the self-reported overpayments) are coming up on the timeframe for appeal to the Departmental Appeals Board. We intend to file notices of appeal and then ask the Board for a stay while discussions continue. Do you have any objections to that approach? And – if I don't speak to you beforehand – happy Thanksgiving!

Caroline

**From:** "Howe, Rory (CMS/CMCS)" (b)(6)  
**Sent:** 7/3/2023 7:47:56 AM -0400  
**To:** "Giles, John (CMS/CMCS)" <John.Giles1@cms.hhs.gov>; "Snyder, Laura (CMS/CMCS)" <Laura.Snyder1@cms.hhs.gov>  
**Subject:** FW: Preliminary Injunction in Texas v. CMS, 6:23-cv-161 (ED Tex)  
**Attachments:** Texas v. CMS, 23-cv-161, Preliminary Injunction.pdf

FYI

---

**From:** Howe, Rory (CMS/CMCS)  
**Sent:** Monday, July 3, 2023 7:46 AM  
**To:** CMS - FMG-Division Directors-Branch Chiefs <FMG-DivisionDirectors-BranchChiefs@cms.hhs.gov>; Endelman (he/him), Jonathan (CMS/CMCS) <Jonathan.Endelman@cms.hhs.gov>  
**Cc:** CMS - FMG Front Office <FMGFrontOffice@cms.hhs.gov>  
**Subject:** FW: Preliminary Injunction in Texas v. CMS, 6:23-cv-161 (ED Tex)  
**Importance:** High

Good morning everyone,

Please see attached a district court order granting Texas' motion for a preliminary injunction. Please also see very preliminary analysis from DOJ below. (b)(5)

(b)(5)  
(b)(5) We will share more information as soon as it is available.

Thanks,

Rory\_

---

**From:** Bickford, James (CIV) (b)(6)  
**Sent:** Friday, June 30, 2023 6:10 PM  
**To:** Howe, Rory (CMS/CMCS) <Rory.Howe@cms.hhs.gov>; Rodriguez, Paul (HHS/OGC) <PaulR.Rodriguez@hhs.gov>; Hoffman, Janice (HHS/OGC) <Janice.Hoffman@HHS.GOV>; Lyons, Susan (HHS/OGC) <Susan.Lyons@HHS.GOV>; Kaiser, Bridgette (HHS/OGC) <Bridgette.Kaiser@hhs.gov>; Campbell, Matthew (HHS/OGC) <Matthew.Campbell@hhs.gov>; Mazumdar, Amitava (OIG/OCIG) <Amitava.Mazumdar@oig.hhs.gov>; Kim, Lonie (OIG/OCIG) <Lonie.Kim@oig.hhs.gov>; Hagg, John D (OIG/OAS) <John.Hagg@oig.hhs.gov>  
**Cc:** Netter, Brian (CIV) (b)(6); Ricketts, Jennifer D (CIV)

(b)(6); Bennett, Michelle (CIV) (b)(6)  
**Subject:** Preliminary Injunction in Texas v. CMS, 6:23-cv-161 (ED Tex)

HHS Colleagues,

(b)(5)

Please accept my apologies for delivering bad news, and don't hesitate to reach out with any questions.

With my best,

James

James Bickford  
Trial Attorney, Federal Programs Branch  
Civil Division, U.S. Department of Justice  
1100 L Street, NW  
Washington, DC 20530  
(202) 305-7632

(b)(6)

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**From:** "Howe, Rory (CMS/CMCS)" <[REDACTED]> (b)(6)  
**Sent:** 7/5/2023 8:17:28 AM -0400  
**To:** "Giles, John (CMS/CMCS)" <John.Giles1@cms.hhs.gov>; "Snyder, Laura (CMS/CMCS)" <Laura.Snyder1@cms.hhs.gov>  
**CC:** "Maccarroll, Amber (CMS/CMCS)" <Amber.MacCarroll@cms.hhs.gov>; "Silanskis, Jeremy D. (CMS/CMCS)" <Jeremy.Silanskis@hhs.gov>  
**Subject:** RE: RE: Preliminary Injunction in Texas v. CMS, 6:23-cv-161 (ED Tex)

Hi John,

I hope that you had a good holiday. We will confirm with OGC, but it appears [REDACTED] (b)(5)

[REDACTED] (b)(5)

[REDACTED] (b)(5) Please let us know if you have any questions in the interim.

Thanks,

Rory

---

**From:** Giles, John (CMS/CMCS) <John.Giles1@cms.hhs.gov>  
**Sent:** Monday, July 3, 2023 9:33 AM  
**To:** Howe, Rory (CMS/CMCS) <Rory.Howe@cms.hhs.gov>; Snyder, Laura (CMS/CMCS) <Laura.Snyder1@cms.hhs.gov>; Giles, John (CMS/CMCS) <John.Giles1@cms.hhs.gov>  
**Subject:** RE: Preliminary Injunction in Texas v. CMS, 6:23-cv-161 (ED Tex)

Thanks Rory, [REDACTED] (b)(5)

[REDACTED] (b)(5)

Thank you for any advice.

John Giles, MPA  
Acting Director, Managed Care Group  
Center for Medicaid and CHIP Services  
Centers for Medicare & Medicaid Services  
Phone: 410-786-5545

E-mail: [John.Giles1@cms.hhs.gov](mailto:John.Giles1@cms.hhs.gov)

---

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**Sent:** Monday, July 3, 2023 7:48 AM  
**To:** Giles, John (CMS/CMCS) <[John.Giles1@cms.hhs.gov](mailto:John.Giles1@cms.hhs.gov)>; Snyder, Laura (CMS/CMCS) <[Laura.Snyder1@cms.hhs.gov](mailto:Laura.Snyder1@cms.hhs.gov)>  
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**Importance:** High

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**Cc:** CMS - FMG Front Office <[FMGFrontOffice@cms.hhs.gov](mailto:FMGFrontOffice@cms.hhs.gov)>  
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<[Amitava.Mazumdar@oig.hhs.gov](mailto:Amitava.Mazumdar@oig.hhs.gov)>; Kim, Lonie (OIG/OCIG) <[Lonie.Kim@oig.hhs.gov](mailto:Lonie.Kim@oig.hhs.gov)>;  
Hagg, John D (OIG/OAS) <[John.Hagg@oig.hhs.gov](mailto:John.Hagg@oig.hhs.gov)>

Cc: Netter, Brian (CIV) (b)(6) Ricketts, Jennifer D (CIV)

(b)(6) Bennett, Michelle (CIV) (b)(6)

**Subject:** Preliminary Injunction in Texas v. CMS, 6:23-cv-161 (ED Tex)

HHS Colleagues,

(b)(5)

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With my best,

James

James Bickford

Trial Attorney, Federal Programs Branch

Civil Division, U.S. Department of Justice

1100 L Street, NW

Washington, DC 20530

(202) 305-7632

(b)(6)

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**From:** "Howe, Rory (CMS/CMCS)" <[REDACTED]@cms.hhs.gov>  
**Sent:** 7/5/2023 11:02:07 AM -0400  
**To:** "Snyder, Laura (CMS/CMCS)" <Laura.Snyder1@cms.hhs.gov>; "Giles, John (CMS/CMCS)" <John.Giles1@cms.hhs.gov>; "McMillion, Todd (CMS/CMCS)" <TODD.MCMILLION@cms.hhs.gov>; "Clark, Jennifer (CMS/CMCS)" <Jennifer.Clark@cms.hhs.gov>; "Bonelli, Anna (CMS/CMCS)" <Anna.Bonelli@cms.hhs.gov>  
**CC:** "Maccarroll, Amber (CMS/CMCS)" <Amber.MacCarroll@cms.hhs.gov>; "Silanskis, Jeremy D. (CMS/CMCS)" <Jeremy.Silanskis@hhs.gov.onmicrosoft.com>  
**Subject:** RE: RE: Preliminary Injunction in Texas v. CMS, 6:23-cv-161 (ED Tex)  
**Attachments:** Questions on Health Care (1).docx; IGT R1 Questions\_TX SFY 2023 Review.docx; RE: FMG Review: TX\_Fee\_AMC.PC.SP\_Renewal\_20230901-20240831

+ Anna, Todd, and Jen

**From:** Snyder, Laura (CMS/CMCS) <Laura.Snyder1@cms.hhs.gov>  
**Sent:** Wednesday, July 5, 2023 10:43 AM  
**To:** Howe, Rory (CMS/CMCS) <Rory.Howe@cms.hhs.gov>; Giles, John (CMS/CMCS) <John.Giles1@cms.hhs.gov>  
**Cc:** Maccarroll, Amber (CMS/CMCS) <Amber.MacCarroll@cms.hhs.gov>; Silanskis, Jeremy D. (CMS/CMCS) <Jeremy.Silanskis@hhs.gov.onmicrosoft.com>  
**Subject:** RE: Preliminary Injunction in Texas v. CMS, 6:23-cv-161 (ED Tex)

Hi Rory,

Thanks for confirming with OGC. If it helps, I've attached the financing feedback we got from DRR and DFP for the Texas SDP reviews. We are obligated per the STCs in the state 1115 (unique) to send the question set by this Friday 7/7. [REDACTED]

(b)(5)

I thought it might be helpful to have the actual questions for OGC to see, [REDACTED]

(b)(5)

(b)(5)

(b)(5)

Thanks,

Laura

---

**From:** Howe, Rory (CMS/CMCS) <[Rory.Howe@cms.hhs.gov](mailto:Rory.Howe@cms.hhs.gov)>  
**Sent:** Wednesday, July 5, 2023 8:17 AM  
**To:** Giles, John (CMS/CMCS) <[John.Giles1@cms.hhs.gov](mailto:John.Giles1@cms.hhs.gov)>; Snyder, Laura (CMS/CMCS) <[Laura.Snyder1@cms.hhs.gov](mailto:Laura.Snyder1@cms.hhs.gov)>  
**Cc:** Maccarroll, Amber (CMS/CMCS) <[Amber.MacCarroll@cms.hhs.gov](mailto:Amber.MacCarroll@cms.hhs.gov)>; Silanskis, Jeremy D. (CMS/CMCS) <[Jeremy.Silanskis@hhs.gov.onmicrosoft.com](mailto:Jeremy.Silanskis@hhs.gov.onmicrosoft.com)>  
**Subject:** RE: Preliminary Injunction in Texas v. CMS, 6:23-cv-161 (ED Tex)

Hi John,

I hope that you had a good holiday. We will confirm with OGC, but it appears (b)(5)

(b)(5)

Thanks,

Rory

---

**From:** Giles, John (CMS/CMCS) <[John.Giles1@cms.hhs.gov](mailto:John.Giles1@cms.hhs.gov)>  
**Sent:** Monday, July 3, 2023 9:33 AM  
**To:** Howe, Rory (CMS/CMCS) <[Rory.Howe@cms.hhs.gov](mailto:Rory.Howe@cms.hhs.gov)>; Snyder, Laura (CMS/CMCS) <[Laura.Snyder1@cms.hhs.gov](mailto:Laura.Snyder1@cms.hhs.gov)>; Giles, John (CMS/CMCS) <[John.Giles1@cms.hhs.gov](mailto:John.Giles1@cms.hhs.gov)>  
**Subject:** RE: Preliminary Injunction in Texas v. CMS, 6:23-cv-161 (ED Tex)

Thanks Rory, (b)(5)

(b)(5)

(b)(5)

Thank you for any advice.

John Giles, MPA

Acting Director, Managed Care Group

Center for Medicaid and CHIP Services

Centers for Medicare & Medicaid Services

Phone: 410-786-5545

E-mail: [John.Giles1@cms.hhs.gov](mailto:John.Giles1@cms.hhs.gov)

---

**From:** Howe, Rory (CMS/CMCS) <[Rory.Howe@cms.hhs.gov](mailto:Rory.Howe@cms.hhs.gov)>

**Sent:** Monday, July 3, 2023 7:48 AM

**To:** Giles, John (CMS/CMCS) <[John.Giles1@cms.hhs.gov](mailto:John.Giles1@cms.hhs.gov)>; Snyder, Laura (CMS/CMCS) <[Laura.Snyder1@cms.hhs.gov](mailto:Laura.Snyder1@cms.hhs.gov)>

**Subject:** FW: Preliminary Injunction in Texas v. CMS, 6:23-cv-161 (ED Tex)

**Importance:** High

FYI

---

**From:** Howe, Rory (CMS/CMCS)

**Sent:** Monday, July 3, 2023 7:46 AM

**To:** CMS - FMG-Division Directors-Branch Chiefs <[FMG-DivisionDirectors-BranchChiefs@cms.hhs.gov](mailto:FMG-DivisionDirectors-BranchChiefs@cms.hhs.gov)>; Endelman (he/him), Jonathan (CMS/CMCS) <[Jonathan.Endelman@cms.hhs.gov](mailto:Jonathan.Endelman@cms.hhs.gov)>

**Cc:** CMS - FMG Front Office <[FMGFrontOffice@cms.hhs.gov](mailto:FMGFrontOffice@cms.hhs.gov)>

**Subject:** FW: Preliminary Injunction in Texas v. CMS, 6:23-cv-161 (ED Tex)

**Importance:** High

Good morning everyone,

Please see attached a district court order granting Texas' motion for a preliminary injunction. Please also see very preliminary analysis from DOJ below.

(b)(5)

(b)(5)

(b)(5)

We will share more information as soon as it is available.

Thanks,

Rory\_

---

**From:** Bickford, James (CIV) (b)(6)  
**Sent:** Friday, June 30, 2023 6:10 PM  
**To:** Howe, Rory (CMS/CMCS) <[Rory.Howe@cms.hhs.gov](mailto:Rory.Howe@cms.hhs.gov)>; Rodriguez, Paul (HHS/OGC) <[PaulR.Rodriguez@hhs.gov](mailto:PaulR.Rodriguez@hhs.gov)>; Hoffman, Janice (HHS/OGC) <[Janice.Hoffman@HHS.GOV](mailto:Janice.Hoffman@HHS.GOV)>; Lyons, Susan (HHS/OGC) <[Susan.Lyons@HHS.GOV](mailto:Susan.Lyons@HHS.GOV)>; Kaiser, Bridgette (HHS/OGC) <[Bridgette.Kaiser@hhs.gov](mailto:Bridgette.Kaiser@hhs.gov)>; Campbell, Matthew (HHS/OGC) <[Matthew.Campbell@hhs.gov](mailto:Matthew.Campbell@hhs.gov)>; Mazumdar, Amitava (OIG/OCIG) <[Amitava.Mazumdar@oig.hhs.gov](mailto:Amitava.Mazumdar@oig.hhs.gov)>; Kim, Lonie (OIG/OCIG) <[Lonie.Kim@oig.hhs.gov](mailto:Lonie.Kim@oig.hhs.gov)>; Hagg, John D (OIG/OAS) <[John.Hagg@oig.hhs.gov](mailto:John.Hagg@oig.hhs.gov)>  
**Cc:** Netter, Brian (CIV) <[Brian.Netter@usdoj.gov](mailto:Brian.Netter@usdoj.gov)>; Ricketts, Jennifer D (CIV) <[Jennifer.D.Ricketts@usdoj.gov](mailto:Jennifer.D.Ricketts@usdoj.gov)>; Bennett, Michelle (CIV) <(b)(6)>  
**Subject:** Preliminary Injunction in Texas v. CMS, 6:23-cv-161 (ED Tex)

HHS Colleagues,

(b)(5)

Please accept my apologies for delivering bad news, and don't hesitate to reach out with any questions.

With my best,

James

James Bickford

Trial Attorney, Federal Programs Branch

Civil Division, U.S. Department of Justice

1100 L Street, NW

Washington, DC 20530

(202) 305-7632

(b)(6)

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**From:** "Campbell, Matthew (HHS/OGC)" <Matthew.Campbell@hhs.gov>  
**Sent:** 8/31/2023 12:42:19 PM -0400  
**To:** "Howe, Rory (CMS/CMCS)" <Rory.Howe@cms.hhs.gov>; "Giles, John (CMS/CMCS)" <John.Giles1@cms.hhs.gov>  
**CC:** "Saslaw, Alexandra R. (CIV)" <(b)(6)> "Hoskins, David (HHS/OGC)" <David.Hoskins@hhs.gov>; "Vogel, Jeremy (HHS/OGC)" <Jeremy.Vogel@hhs.gov>; "Kaiser, Bridgette (HHS/OGC)" <Bridgette.Kaiser@hhs.gov>  
**Subject:** RE: RE: PI Motion in Florida Hold Harmless Litigation

That works for me. Alex, does that work for you?

---

**From:** Howe, Rory (CMS/CMCS) <Rory.Howe@cms.hhs.gov>  
**Sent:** Thursday, August 31, 2023 12:39 PM  
**To:** Campbell, Matthew (HHS/OGC) <Matthew.Campbell@hhs.gov>; Giles, John (CMS/CMCS) <John.Giles1@cms.hhs.gov>  
**Cc:** Saslaw, Alexandra R. (CIV) <(b)(6)> Hoskins, David (HHS/OGC) <David.Hoskins@hhs.gov>; Vogel, Jeremy (HHS/OGC) <Jeremy.Vogel@hhs.gov>; Kaiser, Bridgette (HHS/OGC) <Bridgette.Kaiser@hhs.gov>  
**Subject:** RE: PI Motion in Florida Hold Harmless Litigation

Hi, Matt. Thanks for connecting today. Sorry for the delayed response. Would 10AM EDT work tomorrow?

---

**From:** Campbell, Matthew (HHS/OGC) <[Matthew.Campbell@hhs.gov](mailto:Matthew.Campbell@hhs.gov)>  
**Sent:** Tuesday, August 29, 2023 4:02 PM  
**To:** Howe, Rory (CMS/CMCS) <[Rory.Howe@cms.hhs.gov](mailto:Rory.Howe@cms.hhs.gov)>; Giles, John (CMS/CMCS) <[John.Giles1@cms.hhs.gov](mailto:John.Giles1@cms.hhs.gov)>  
**Cc:** Saslaw, Alexandra R. (CIV) <(b)(6)> Hoskins, David (HHS/OGC) <[David.Hoskins@hhs.gov](mailto:David.Hoskins@hhs.gov)>; Vogel, Jeremy (HHS/OGC) <[Jeremy.Vogel@hhs.gov](mailto:Jeremy.Vogel@hhs.gov)>; Kaiser, Bridgette (HHS/OGC) <[Bridgette.Kaiser@hhs.gov](mailto:Bridgette.Kaiser@hhs.gov)>  
**Subject:** PI Motion in Florida Hold Harmless Litigation

Rory and John,

(b)(5)

**(b)(5)**

Matt

Matthew A. Campbell

Attorney

Office of the General Counsel – CMS Division

U.S. Department of Health & Human Services

330 Independence Ave. S.W.

Cohen Building, Room 5316

Washington, D.C. 20201

(202) 240-3275 (office)

**(b)(6)** (mobile)

---

**From:** "Vogel, Jeremy (HHS/OGC)" <Jeremy.Vogel@hhs.gov>  
**Sent:** 8/31/2023 12:44:53 PM -0400  
**To:** "Saslaw, Alexandra R. (CIV)" <(b)(6)> "Campbell, Matthew (HHS/OGC)" <Matthew.Campbell@hhs.gov>; "Howe, Rory (CMS/CMCS)" <Rory.Howe@cms.hhs.gov>; "Giles, John (CMS/CMCS)" <John.Giles1@cms.hhs.gov>  
**CC:** "Hoskins, David (HHS/OGC)" <David.Hoskins@hhs.gov>; "Kaiser, Bridgette (HHS/OGC)" <Bridgette.Kaiser@hhs.gov>  
**Subject:** Re: Re: PI Motion in Florida Hold Harmless Litigation  
I can also join then.

Jeremy Vogel (he/him)  
Attorney, DHHS/OGC/CMSD  
(202) 205-8778 | [Jeremy.Vogel@hhs.gov](mailto:Jeremy.Vogel@hhs.gov)

**From:** Saslaw, Alexandra R. (CIV) <(b)(6)>  
**Sent:** Thursday, August 31, 2023 12:43:44 PM  
**To:** Campbell, Matthew (HHS/OGC) <Matthew.Campbell@hhs.gov>; Howe, Rory (CMS/CMCS) <Rory.Howe@cms.hhs.gov>; Giles, John (CMS/CMCS) <John.Giles1@cms.hhs.gov>  
**Cc:** Hoskins, David (HHS/OGC) <David.Hoskins@hhs.gov>; Vogel, Jeremy (HHS/OGC) <Jeremy.Vogel@hhs.gov>; Kaiser, Bridgette (HHS/OGC) <Bridgette.Kaiser@hhs.gov>  
**Subject:** RE: PI Motion in Florida Hold Harmless Litigation

That works for me.

---

**From:** Campbell, Matthew (HHS/OGC) <Matthew.Campbell@hhs.gov>  
**Sent:** Thursday, August 31, 2023 12:42 PM  
**To:** Howe, Rory (CMS/CMCS) <Rory.Howe@cms.hhs.gov>; Giles, John (CMS/CMCS) <John.Giles1@cms.hhs.gov>  
**Cc:** Saslaw, Alexandra R. (CIV) <(b)(6)> Hoskins, David (HHS/OGC) <David.Hoskins@hhs.gov>; Vogel, Jeremy (HHS/OGC) <Jeremy.Vogel@hhs.gov>; Kaiser, Bridgette (HHS/OGC) <Bridgette.Kaiser@hhs.gov>  
**Subject:** [EXTERNAL] RE: PI Motion in Florida Hold Harmless Litigation

That works for me. Alex, does that work for you?

---

**From:** Howe, Rory (CMS/CMCS) <[Rory.Howe@cms.hhs.gov](mailto:Rory.Howe@cms.hhs.gov)>  
**Sent:** Thursday, August 31, 2023 12:39 PM  
**To:** Campbell, Matthew (HHS/OGC) <[Matthew.Campbell@hhs.gov](mailto:Matthew.Campbell@hhs.gov)>; Giles, John (CMS/CMCS) <[John.Giles1@cms.hhs.gov](mailto:John.Giles1@cms.hhs.gov)>  
**Cc:** Saslaw, Alexandra R. (CIV) <(b)(6)> Hoskins, David (HHS/OGC) <[David.Hoskins@hhs.gov](mailto:David.Hoskins@hhs.gov)>; Vogel, Jeremy (HHS/OGC) <[Jeremy.Vogel@hhs.gov](mailto:Jeremy.Vogel@hhs.gov)>; Kaiser, Bridgette (HHS/OGC) <[Bridgette.Kaiser@hhs.gov](mailto:Bridgette.Kaiser@hhs.gov)>  
**Subject:** RE: PI Motion in Florida Hold Harmless Litigation

Hi, Matt. Thanks for connecting today. Sorry for the delayed response. Would 10AM EDT work tomorrow?

---

**From:** Campbell, Matthew (HHS/OGC) <[Matthew.Campbell@hhs.gov](mailto:Matthew.Campbell@hhs.gov)>  
**Sent:** Tuesday, August 29, 2023 4:02 PM  
**To:** Howe, Rory (CMS/CMCS) <[Rory.Howe@cms.hhs.gov](mailto:Rory.Howe@cms.hhs.gov)>; Giles, John (CMS/CMCS) <[John.Giles1@cms.hhs.gov](mailto:John.Giles1@cms.hhs.gov)>  
**Cc:** Saslaw, Alexandra R. (CIV) (b)(6); Hoskins, David (HHS/OGC) <[David.Hoskins@hhs.gov](mailto:David.Hoskins@hhs.gov)>; Vogel, Jeremy (HHS/OGC) <[Jeremy.Vogel@hhs.gov](mailto:Jeremy.Vogel@hhs.gov)>; Kaiser, Bridgette (HHS/OGC) <[Bridgette.Kaiser@hhs.gov](mailto:Bridgette.Kaiser@hhs.gov)>  
**Subject:** PI Motion in Florida Hold Harmless Litigation

Rory and John,

(b)(5)

Matt

Matthew A. Campbell  
Attorney  
Office of the General Counsel – CMS Division  
U.S. Department of Health & Human Services  
330 Independence Ave. S.W.  
Cohen Building, Room 5316  
Washington, D.C. 20201  
(202) 240-3275 (office)  
(b)(6) mobile)

---

**From:** "Howe, Rory (CMS/CMCS)" (b)(6)  
**Sent:** 7/5/2023 8:13:11 AM -0400  
**To:** "Truffer, Christopher (CMS/OACT)" <Christopher.Truffer@cms.hhs.gov>  
**Subject:** FW: FW: Preliminary Injunction in Texas v. CMS, 6:23-cv-161 (ED Tex)  
**Attachments:** Texas v. CMS, 23-cv-161, Preliminary Injunction.pdf

FYI

---

**From:** Howe, Rory (CMS/CMCS) <Rory.Howe@cms.hhs.gov>  
**Sent:** Monday, July 3, 2023 7:46 AM  
**To:** CMS - FMG-Division Directors-Branch Chiefs <FMG-DivisionDirectors-BranchChiefs@cms.hhs.gov>; Endelman (he/him), Jonathan (CMS/CMCS) <Jonathan.Endelman@cms.hhs.gov>  
**Cc:** CMS - FMG Front Office <FMGFrontOffice@cms.hhs.gov>  
**Subject:** FW: Preliminary Injunction in Texas v. CMS, 6:23-cv-161 (ED Tex)  
**Importance:** High

Good morning everyone,

Please see attached a district court order granting Texas' motion for a preliminary injunction. Please also see very preliminary analysis from DOJ below. (b)(5)

(b)(5)  
(b)(5) We will share more information as soon as it is available.

Thanks,

Rory\_

---

**From:** Bickford, James (CIV) (b)(6)  
**Sent:** Friday, June 30, 2023 6:10 PM  
**To:** Howe, Rory (CMS/CMCS) <Rory.Howe@cms.hhs.gov>; Rodriguez, Paul (HHS/OGC) <PaulR.Rodriguez@hhs.gov>; Hoffman, Janice (HHS/OGC) <Janice.Hoffman@HHS.GOV>; Lyons, Susan (HHS/OGC) <Susan.Lyons@HHS.GOV>; Kaiser, Bridgette (HHS/OGC) <Bridgette.Kaiser@hhs.gov>; Campbell, Matthew (HHS/OGC) <Matthew.Campbell@hhs.gov>; Mazumdar, Amitava (OIG/OCIG) <Amitava.Mazumdar@oig.hhs.gov>; Kim, Lonie (OIG/OCIG) <Lonie.Kim@oig.hhs.gov>; Hagg, John D (OIG/OAS) <John.Hagg@oig.hhs.gov>  
**Cc:** Netter, Brian (CIV) (b)(6); Ricketts, Jennifer D (CIV)

(b)(6) Bennett, Michelle (CIV) (b)(6)  
**Subject:** Preliminary Injunction in Texas v. CMS, 6:23-cv-161 (ED Tex)

HHS Colleagues,

(b)(6)

Please accept my apologies for delivering bad news, and don't hesitate to reach out with any questions.

With my best,

James

James Bickford  
Trial Attorney, Federal Programs Branch  
Civil Division, U.S. Department of Justice  
1100 L Street, NW  
Washington, DC 20530  
(202) 305-7632

(b)(6)

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