

**UNITED STATES DISTRICT COURT  
DISTRICT OF NORTH DAKOTA  
WESTERN DIVISION**

**The State of KANSAS, the State of NORTH DAKOTA, the State of ALABAMA, the State of ARKANSAS, the State of FLORIDA, the State of IDAHO, the State of INDIANA, the State of IOWA, the Commonwealth of KENTUCKY, the State of MISSOURI, the State of MONTANA, the State of NEBRASKA, the State of NEW HAMPSHIRE, the State of OHIO, the State of SOUTH CAROLINA, the State of SOUTH DAKOTA, the State of TENNESSEE, the State of TEXAS, and the Commonwealth of VIRGINIA,**

**Plaintiffs,**

**v.**

**UNITED STATES OF AMERICA and the CENTERS FOR MEDICARE & MEDICAID SERVICES,**

**Defendants.**

**CIVIL ACTION NO. 1:24-cv-00150-DMT-CRH**

**DEFENDANT-INTERVENORS' MOTION TO INTERVENE**

CLAUDIA MOYA LOPEZ, an individual residing in Virginia, HYUN KIM, an individual residing in Virginia, DANIA QUEZADA TORRES, an individual residing in Washington State, and CASA, INC., a non-profit membership organization headquartered in Maryland, hereby move the Court for an order granting leave to intervene as of right, as defendants in this action as it relates to the lawfulness of 89 Fed. Reg. 39,392 (May 8, 2024), announced by the Centers for Medicare & Medicaid Services (CMS) in May 2024.

This motion is based upon the declarations of Claudia Moya Lopez, Hyun Kim, Dania Quezada Torres, and George Escobar, Chief of Programs and Services at CASA, Inc., and the memorandum of law, all of which are submitted with this motion to intervene.

The movants respectfully request oral argument on this motion if it is opposed.

Date: September 20, 2024

Respectfully submitted,

*/s/ Matthew S. Rozen*

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*\*Pro hac vice forthcoming*

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**CERTIFICATE OF SERVICE**

I hereby certify that on September 20, 2024, I filed the foregoing motion using the Court's CM/ECF system, which will send a notice of the filing to counsel for all parties.

*/s/ Matthew S. Rozen*  
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Matthew S. Rozen