

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
JONESBORO DIVISION

BRADLEY LEDGERWOOD; and
ETHEL JACOBS, by and through her
son and next friend Louis Welch

PLAINTIFFS

v.

No. 3:16-cv-119-DPM

CINDY GILLESPIE, in her official
capacity as Director, Arkansas
Department of Human Services

DEFENDANT

ORDER

For the reasons stated on the record at the 1 July 2016 telephone hearing,
the Court orders the following.

1. Plaintiffs' motion to reinstate is granted because the dispute has ripened. The stay is dissolved. The motions for a preliminary injunction and to dismiss are reinstated.

2. Gillespie's motion to dismiss is granted as to Ledgerwood and denied without prejudice as to Jacobs. In Ledgerwood's current circumstances, the Court lacks subject matter jurisdiction because he lacks standing. *Constitution Party of South Dakota v. Nelson*, 639 F.3d 417, 420 (8th Cir. 2011).

3. Jacobs's motion for a preliminary injunction is partly granted and mostly denied. The Court orders Director Gillespie, the Arkansas Department of Human Services, and all involved DHS employees not to reduce Jacobs's ARChoices benefits until this Court has made a final decision on the merits in this case. The Court declines to enjoin use of the ArPath assessment tool in particular or administration of the ARChoices program in general.

4. The Court will hold a hearing about the road forward at 9:00 a.m. on Friday, 15 July 2016, in Courtroom 324 in the E.C. "Took" Gathings Federal Building, 615 South Main Street, Jonesboro, Arkansas 72401.

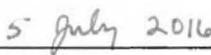
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Motion, *No* 31, granted. Stay dissolved. Motions, *No* 6 & 14, reinstated, partly granted, and partly denied without prejudice. Hearing scheduled. The parties should prepare to exchange initial disclosures by 22 July 2016.

So Ordered.



D.P. Marshall Jr.
United States District Judge



5 July 2016