

**IN THE
UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA**

RICHMOND DIVISION

COMMONWEALTH OF VIRGINIA,)	
EX REL. KENNETH T. CUCCINELLI, II,)	
in his official capacity as)	
Attorney General of Virginia,)	
)	
Plaintiff,)	
v.)	Civil Action No. 3:10cv188
)	
)	
KATHLEEN SEBELIUS,)	
Secretary of the Department)	
of Health and Human Services,)	
in her official capacity,)	
)	
Defendant.)	

**PLAINTIFF'S
MOTION FOR SUMMARY JUDGMENT**

Consistent with the Consent Order of August 10, 2010, and pursuant to Rule 56, F.R. Civ. P., Plaintiff hereby moves for Summary Judgment on the grounds and for the reasons stated in its accompanying Plaintiff's Memorandum in Support of Motion for Summary Judgment.

Respectfully submitted,

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Chief Deputy Attorney General

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/s/ E. Duncan Getchell, Jr.

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CERTIFICATE OF SERVICE

I hereby certify that on this 3rd day of September, 2010, I electronically filed the Plaintiff's Motion for Summary Judgment with the Clerk of Court using the CM/ECF system, which will send a notification of such filing (NEF) to the following: Ian Gershengorn, ian.gershengorn@usdoj.gov, Joel McElvain, joel.mcelvain@usdoj.gov, Jonathan Holland Hambrick, jay.h.hambrick@usdoj.gov, Sheila M. Lieber, slieber@civ-usdoj.gov, and all counsel for Amici. A copy also has been served by first class, postage prepaid, U.S. Mail to Ray Elbert Parker, *Pro Se*, P. O. Box 320636, Alexandria, VA 22320.

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