UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

JACQUALYN THORPE, et al.,	)	
Plaintiffs,	)	
v.	)	**Civil Action No. 10-2250 (ESH)**
DISTRICT OF COLUMBIA,	)	
Defendant.	)	

ORDER

For the reasons stated in an accompanying Memorandum Opinion, it is hereby

ORDERED that defendant's Motion to Dismiss the Third Amended Complaint [ECF No. 99] is **DENIED**; and it is further

ORDERED that plaintiffs' Renewed Motion for Class Certification [ECF No. 103] is **GRANTED**; and it is further

ORDERED that pursuant to Fed. R. Civ. P. 23(a) and 23(b)(2), a class is certified that consists of:

All persons with physical disabilities who, now or during the pendency of this lawsuit:

(1) receive DC Medicaid-funded long-term care services in a nursing facility for 90 or more consecutive days;

(2) are eligible for Medicaid-covered home and community-based long-term care services that would enable them to live in the community; and

(3) would prefer to live in the community instead of a nursing facility but need the District of Columbia to provide transition assistance to facilitate their access to long-term care services in the community.

It is further **ORDERED** that the following Plaintiffs' counsel are appointed to serve as class counsel:

Marjorie Rifkin, D.C. Bar No. 437076
Jennifer Lav, D.C. Bar No. 499293
Victoria Thomas, D.C. Bar No. 1001027
Lyndsay Niles, D.C. Bar No. 1003427
University Legal Services–Protection & Advocacy

Kelly Bagby, D.C. Bar No. 462390
AARP Foundation Litigation

Barbara Wahl, D.C. Bar No. 297978
Brian D. Schneider, D.C. Bar No. 983171
Alison Lima Andersen, D.C. Bar No. 997260
Arent Fox LLP

It is further **ORDERED** that a status conference is set for **April 23, 2014, at 9:30 a.m.** and that by April 16, 2014, the parties shall file a joint status report to address further proceedings in this matter.

/s/
ELLEN SEGAL HUVELLE
United States District Judge

Date: March 29, 2014