

**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.

