

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

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NATIONAL ASSOCIATION	)	
OF CHAIN DRUG STORES,	)	
	)	
and	)	
	)	
NATIONAL COMMUNITY	)	
PHARMACISTS ASSOCIATION	)	
	)	
Plaintiffs,	)	
	)	
v.	)	Civil Action No. 01-1554 (PLF)
	)	
THE HONORABLE	)	
TOMMY G. THOMPSON,	)	
	)	
and	)	
	)	
THOMAS A. SCULLY	)	
	)	
Defendants.	)	

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ORDER

The case came before the Court on plaintiffs' Motion For A Preliminary Injunction. The Court has considered the motion and the defendants' opposition thereto, as well as the arguments presented by counsel at a hearing on the matter on September 6, 2001. The Court found that plaintiffs have a substantial likelihood of success on the merits of their claim that defendants violated the Administrative Procedure Act and acted without legal authority in creating the Medicare Rx Discount Card Program. The Court also concluded that unless enjoined, defendants' actions are likely to cause plaintiffs and their members irreparable harm for which no adequate remedy at law exists.

For the reasons stated by the Court in open court at the conclusion of the hearing and as memorialized in the transcript of that hearing, it is hereby

ORDERED that plaintiffs' Motion For A Preliminary Injunction is GRANTED;

and it is

FURTHER ORDERED that defendants are enjoined from implementing the Medicare Rx Discount Card Program that was announced by the President on July 12, 2001 and published in the Federal Register on July 18, 2001.

SO ORDERED.

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PAUL L. FRIEDMAN  
United States District Judge

DATE: