

**IN THE SUPERIOR COURT FOR THE STATE OF DELAWARE**

|  |   |                          |
|--|---|--------------------------|
| RISEDELAWARE INC., <i>et al.</i> ,           | : |                          |
|  | : |                          |
| Plaintiffs,                                  | : |                          |
|  | : |                          |
| v.   | : | C.A. No. N22C-09-526-CLS |
|  | : |                          |
| SECRETARY CLAIRE DEMATTEIS in                | : |                          |
| her official capacity as Secretary of the    | : |                          |
| Delaware Department of Human                 | : |                          |
| Resources and Co-Chair of the State          | : |                          |
| Employee Benefits Committee, <i>et al.</i> , | : |                          |
|  | : |                          |
| Defendants.                                  | : |                          |

**ORDER ON PLAINTIFFS’ MOTION TO STAY**

WHEREAS, Plaintiffs filed a Motion to Stay Defendants’ implementation of a new Medicare Advantage Plan for State retirees and the open enrollment period currently in effect for State retirees under 29 *Del. C.* § 10144 (the “Motion”);

WHEREAS, Defendants opposed Plaintiffs’ Motion;

WHEREAS, the parties have briefed the Motion and the Court has held a hearing on the Motion; and

WHEREAS, the Court has found that the issues and facts presented for review through Plaintiffs’ Motion are substantial and that a stay is required to prevent irreparable harm;

IT IS HEREBY ORDERED this \_\_\_\_ day of October, 2022, that:

1. Plaintiffs’ Motion is GRANTED.

2. Defendants' implementation of a Medicare Advantage Plan for State retirees and acceptance of enrollment into the Plan, including by way of automatic enrollment in the open enrollment period currently in effect for State retirees, are stayed until further Order by this Court.
3. During the stay, Defendants shall take all necessary and proper steps to ensure that the healthcare insurance and benefits available to State retirees prior to October 3, 2022, or in which they were enrolled prior to that time, remain in full force and effect, to be changed only as was permitted or required in normal course.
4. A final trial on the merits, subject to the availability of the Court and the parties, will be scheduled within one hundred and twenty (120) days.

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The Honorable Calvin L. Scott