



Filed in The District Court of Travis County, Texas

ES OCT 0 2 2013

CAUSE NO. D-1-GN-13-001557

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HARLINGEN FAMILY DENTISTRY,

P.C.,

Petitioner,

VS.

DR. KYLE JANEK, Executive Commissioner of Texas Health and Human Services Commission, and DOUG WILSON, Inspector General, for the Office of the Inspector General, Respondents.

353rd JUDICIAL DISTRICT

IN THE DISTRICT

TRAVIS COUNTY, TEXAS

AMENDED FINAL JUDGMENT AND WRIT OF MANDAMUS

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On May 29, 2013, the Court heard Petitioner's First Amended Petition for Mandamus and Respondents' Plea to the Jurisdiction. All matters in controversy, legal and factual, were submitted to the Court for its determination. After considering the First Amended Petition for Mandamus, the Plea to the Jurisdiction, the response, the reply, the evidence, all other pleadings and the arguments of counsel, the Court:

> GRANTS the Petitioner's First Amended Petition for Mandamus, and DENIES the Respondents' Plea to the Jurisdiction.

Accordingly, the Court ISSUES this writ of mandamus, directed to Respondents Dr. Kyle Janek and Doug Wilson in their official capacities, commanding them to immediately take all necessary action to release to Petitioner Harlingen Family Dentistry, P.C. the sum of \$1,255,195.20, which represents 91% of the \$1,379,335.43 improperly sequestered as a result of the payment hold imposed September 11, 2011 through the effective date of the final order in HHSC Cause No. 12-0789K.

All relief requested by any party but not expressly granted is denied. This judgment finally disposes of all claims and all parties. The Court directs the clerk to prepare a writ commanding Respondents Dr. Kyle Janek and Doug Wilson in their official capacities to immediately take all necessary action to release to Petitioner Harlingen Family Dentistry, P.C. the sum of \$1,255,195.20.

This Amended Final Judgment and Writ of Mandamus supersedes the Final Judgment and Writ of Mandamus signed on October 2, 2013 at 9:24 a.m.

Signed this

day of October, 2013.

AMY CLARK MEACHUM JUDGE PRESIDING

Agreed as to Form and Substance:

Jason Ray

Riggs Aleshire & Ray, P.C.

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Agreed as to Form only:

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