

The Federal District Court in Western Massachusetts has denied a motion for summary judgment and dismissed a motion for summary judgment in *Western Massachusetts Legal Services v. Commonwealth of Massachusetts*, No. 13-10160-KPN, 2014 WL 51127 (D. Mass. Jan. 27, 2014).

The court found that each of the Medicaid provisions at issue in the case presented a justiciable controversy and that the court had jurisdiction to hear the case.

The court also held that, despite defendant's argument that obesity did not constitute a disability within the meaning of the Americans with Disabilities Act, 42 U.S.C. § 12182, the court found that obesity did constitute a disability within the meaning of the Act.

Western Massachusetts Legal Services is counsel in this case.