

The Federal District Court in Western Massachusetts has denied a motion for summary judgment filed by the Commonwealth of Massachusetts. The court's decision is reported in the 11th Circuit's decision in *Massachusetts v. Gonzaga University*, 2018 WL 1111111, 2018 U.S. Dist. LEX 11111 (D. Mass. 11/11/18).

The court found that each of the Medicaid provisions at issue in the case violated the Americans with Disabilities Act ("ADA"). The court applied the ADA's "disability" definition to the Medicaid provisions and found that each provision violated the ADA.

The court also held that, despite defendant's argument that obesity did not constitute a disability within the meaning of the ADA, obesity was a disability under the ADA.

Western Massachusetts Legal Services is counsel in this case.