

## Firm Attorneys Argue Before Court of Appeals

Attorney Josh Belinfante presented Oral Argument before the Georgia Court of Appeals in the case *Doctors Hospital of Augusta v. Georgia Department of Community Health*. This was the second time this case was before the Court of Appeals after the Firm successfully appealed the trial court's dismissal of the case on procedural grounds. 344 Ga. App. 583 (2018). After successfully petitioning the Court for grant of a discretionary appeal, the Firm argued before the Court that the Department improperly applied statutes and regulations governing the state's controversial Certificate of Need (CON) requirement for new hospitals and that the Superior Court, in reviewing the Department's initial CON decision, improperly deferred to the government's interpretation of the laws which restrict its actions. The firm argued against attorneys representing both the state and Georgia Regents Medical Center, oral argument was held in February. Consistent with the two-term constitutional rule applying to Georgia appellate courts, a decision is expected by July 2, 2019.

For more information, please contact Josh Belinfante, Dan Monahan, or Carey Miller.