

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF LOUISIANA

GULF SOUTH MEDICAL & SURGICAL
INSTITUTE, INC., ET AL

CIVIL ACTION

VERSUS

NO. 11-2353

KATHLEEN SEBELIUS, SECRETARY,
UNITED STATES DEPARTMENT OF
HEALTH AND HUMAN SERVICES

SECTION "N" (2)

ORDER AND REASONS

Before the Court is the "**Motion for Summary Judgment**" (Rec. Doc. 12), filed by the defendant, Kathleen Sebelius, in her official capacity as Secretary of the United States Department of Health and Human Services (the "Secretary"), which was noticed for submission on October 17, 2012. This Court's Order, signed September 28, 2012 (Rec. Doc. 11), required that memoranda in opposition be filed not later than October 12, 2012. No such memorandum has been filed. Further, having read and considered the motion papers and the record, it appears to the Court that the Secretary's motion has merit. Accordingly,

IT IS ORDERED that the "**Motion for Summary Judgment**" (Rec. Doc. 12), filed by the Secretary, is hereby **GRANTED**, and the final decision of the Secretary is **AFFIRMED**.

New Orleans, Louisiana, this 17th day of October, 2012.


KURT D. ENGELHART
UNITED STATES DISTRICT JUDGE