

UNITED STATES COURT OF APPEALS  
FOR THE SIXTH CIRCUIT

No. 13-6645

UNITED STATES OF AMERICA, et al.,  
Plaintiffs,

ROBERT WHIPPLE,

Plaintiff - Appellant,

v.

CHATTANOOGA-HAMILTON COUNTY HOSPITAL  
AUTHORITY, dba Erlanger Medical Center, dba  
Erlanger Health System,  
Defendant - Appellee.

Before: GUY, CLAY, and WHITE, Circuit Judges.

**JUDGMENT**On Appeal from the United States District Court  
for the Middle District of Tennessee at Nashville.

THIS CAUSE was heard on the record from the district court and was argued by counsel.

IN CONSIDERATION WHEREOF, it is ORDERED that the dismissal of Whipple's short-stay, same-day-surgery, and renal-dialysis claims as barred under § 3730(e)(4) is REVERSED, and the case is REMANDED to the district court for further proceedings consistent with the opinion of this court.

**ENTERED BY ORDER OF THE COURT**

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Deborah S. Hunt, Clerk**FILED**  
**Feb 25, 2015**  
DEBORAH S. HUNT, Clerk