

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF ARKANSAS
WESTERN DIVISION**

SOUTHEAST ARKANSAS HOSPICE, INC.

PLAINTIFF

v.

CASE NO. 4:10CV00721 BSM

**DEPARTMENT OF HEALTH
AND HUMAN SERVICES,
Kathleen Sebelius, Secretary**

DEFENDANT

JUDGMENT

Pursuant to the order entered on this date, judgment is entered (1) dismissing plaintiff's claims as to fiscal years ending 2004, 2005, and 2007 and (2) permanently enjoining the Secretary from enforcing 42 C.F.R. § 418.309(b) against plaintiff for fiscal year ending 2009.

Dated this 24th day of March, 2011.


UNITED STATES DISTRICT JUDGE