

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

|                                        |   |                                |
|----------------------------------------|---|--------------------------------|
|                                        | ) |                                |
| ROGUE VALLEY MEDICAL CENTER,           | ) |                                |
|                                        | ) |                                |
| Plaintiff,                             | ) |                                |
|                                        | ) |                                |
| v.                                     | ) | Civil Action No. 03-0477 (PLF) |
|                                        | ) |                                |
| KATHLEEN SEBELIUS,                     | ) |                                |
| Secretary, United States Department of | ) |                                |
| Health and Human Services,             | ) |                                |
|                                        | ) |                                |
| Defendant. <sup>1</sup>                | ) |                                |
|                                        | ) |                                |

ORDER

For the reasons stated in the Opinion issued this same day, it is hereby  
 ORDERED that plaintiff’s motion to amend [28] is DENIED; it is  
 FURTHER ORDERED that plaintiff’s motion to strike [25] is DENIED; and it is  
 FURTHER ORDERED that defendant’s motion to dismiss [24] is GRANTED.

This case shall be dismissed for failure to state a claim. The Clerk of the Court shall remove this case from the docket of the Court. This is a final appealable order. See FED. R. APP. P. 4(a).

SO ORDERED.

\_\_\_\_\_  
 /s/  
 PAUL L. FRIEDMAN  
 United States District Judge

DATE: March 16, 2010

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<sup>1</sup> The Court has substituted Kathleen Sebelius, the current Secretary of the Department of Health and Human Services, as the defendant in place of former Secretary Michael Leavitt, pursuant to Rule 25(d) of the Federal Rules of Civil Procedure.