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FILED

AUG 19 2010

**United States Court of Appeals
FOR THE DISTRICT OF COLUMBIA CIRCUIT**

Clerk, U.S. District & Bankruptcy
Courts for the District of Columbia

No. 09-5374

RECEIVED

September Term, 2009

JAMES L. SHERLEY, ET AL.,
APPELLANTS

AUG 19 2010

Clerk, U.S. District & Bankruptcy
Courts for the District of Columbia

FILED ON UNITED STATES COURT OF APPEALS
FOR DISTRICT OF COLUMBIA CIRCUIT

FILED JUN 25 2010

CLERK

v.

KATHLEEN SEBELIUS, IN HER OFFICIAL CAPACITY AS SECRETARY OF THE DEPARTMENT OF HEALTH
AND HUMAN SERVICES, ET AL.,
APPELLEES

Appeal from the United States District Court
for the District of Columbia
(No. 1:09-cv-01575-RCL)

Before: GINSBURG, BROWN and KAVANAUGH, *Circuit Judges*

JUDGMENT

This cause came on to be heard on the record on appeal from the United States District
Court for the District of Columbia and was argued by counsel. On consideration thereof, it is

ORDERED and **ADJUDGED** that the judgment of the District Court be reversed with
respect to the dismissal of the plaintiffs' claims for lack of standing insofar as it applies to the
Doctors and be affirmed in all other respects; the order dismissing as moot plaintiffs' motion for a
preliminary injunction be reversed; and the matter be remanded to the district court for further
proceedings, in accordance with the opinion of the court filed herein this date.

Per Curiam

MANDATE	
Pursuant to the provisions of Fed. R. App. Pro. 41(a)	
ISSUED:	8/13/10
BY:	<i>[Signature]</i>
ATTACHED:	<input type="checkbox"/> Amending Order <input type="checkbox"/> Opinion <input type="checkbox"/> Order on Costs

FOR THE COURT:
Mark J. Langer, Clerk

BY: */s/ [Signature]*
Michael C. McGrail
Deputy Clerk

Date: June 25, 2010

Opinion for the court filed by Circuit Judge Ginsburg.

A True copy:

United States Court of Appeals
for the District of Columbia Circuit
By: *[Signature]* Deputy Clerk