

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

<b>MARK J. CERCIELLO, M.D.,</b>	:	<b>CIVIL ACTION</b>
<b>Plaintiff</b>	:	
	:	
<b>vs.</b>	:	<b>NO. 13-3249</b>
	:	
	:	
<b>KATHLEEN SEBELIUS, U.S.</b>	:	
<b>SECRETARY OF HEALTH, et al.,</b>	:	
<b>Defendants</b>	:	

**ORDER**

**AND NOW**, this 30th day of March, 2016, upon careful consideration of the plaintiff's motion for summary judgment (Document #18), the defendant's motion for summary judgment (Document #22), and the responses thereto, **IT IS HEREBY ORDERED** that:

1. The plaintiff's motion is **DENIED**.
2. The defendant's motion is **GRANTED**.
3. In accordance with Rule 58 of the Federal Rules of Civil Procedure, judgment is hereby **ENTERED** in favor of the defendant and against the plaintiff.

The Clerk of Court is directed to mark this case **CLOSED** for all purposes.

**BY THE COURT:**

/s/ Lawrence F. Stengel  
**LAWRENCE F. STENGEL, J.**