

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

**U.S. RENAL CARE, INC. d/b/a U.S. :** **Civil No. 1:14-CV-2257**  
**RENALCARE CENTRAL YORK, :**  
**DIALYSIS individually and as :**  
**ASSIGNEE OF PATIENT, WW, :**

**Plaintiff/ :**  
**Counter-Defendant, :**

v. :

**WELLSPAN HEALTH, WELLSPAN :**  
**MEDICAL PLAN, THE PLAN :**  
**ADMINISTRATOR OF WELLSPAN :**  
**MEDICAL PLAN, and South Central :**  
**PREFERRED, INC., :**

**Defendants/ :**  
**Counter-Plaintiffs. :** **Judge Sylvia H. Rambo**

**ORDER**

In accordance with the accompanying memorandum of law, **IT IS**  
**HEREBY ORDERED** as follows:

- 1) Plaintiff’s motion for summary judgment as to its claims, pursuant to §§ 502(a) and 502(c)(1) of ERISA, (Doc. 95) is **DENIED**.
- 2) Defendants’ motion for summary judgment as to Plaintiff’s claims (Doc. 88) is **GRANTED**.
- 3) Plaintiff’s motion for summary judgment as to Defendants’ counterclaims (Doc. 75) is **GRANTED** as to Count II (unjust enrichment), but **DENIED** as to Count I (equitable relief pursuant to § 502(a)(3) of ERISA).

- 4) Defendants' motion for summary judgment as to its counterclaims (Doc. 87) is **DENIED** as to Count II, but **GRANTED** as to Count I.
- 5) Plaintiff shall pay to Defendants the sum of \$159,706.39.
- 6) The Clerk of Court is directed to close this case.

s/Sylvia H. Rambo  
SYLVIA H. RAMBO  
United States District Judge

Dated: March 21, 2017