

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

ST. THOMAS HOSPITAL,)	
)	
Plaintiff,)	
)	
v.)	No. 3:08-1041
)	Judge Echols
KATHLEEN SEBELIUS, in her capacity as)	
Secretary of the United States Department of)	
Health and Human Services,)	
)	
Defendant.)	

ORDER

For the reasons set forth in the accompanying Memorandum, the Court hereby enters the following rulings:

(1) Adventist Health System Sunbelt, Inc.’s “Motion for Leave to File Brief *Amicus Curiae*” (Docket Entry No. 57) is hereby GRANTED;

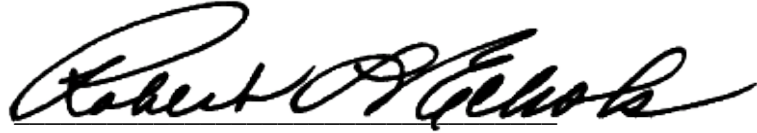
(2) Plaintiff “St. Thomas Hospital’s Motion for Summary Judgment” (Docket Entry No. 34) is hereby DENIED;

(3) Defendant Secretary of Health and Human Services’ Motion for Summary Judgment (Docket Entry No. 42) is hereby GRANTED; and

(4) Plaintiff St. Thomas Hospital’s claim against Defendant Secretary of Health and Human Services is hereby DISMISSED WITH PREJUDICE.

Entry of this Order on the docket shall constitute entry of a final judgment in accordance with Federal Rules of Civil Procedure 58 and 79(a).

It is so ORDERED.

A handwritten signature in black ink, appearing to read "Robert L. Echols", written in a cursive style.

ROBERT L. ECHOLS
UNITED STATES DISTRICT JUDGE