

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

---

ABBOTT-NORTHWESTERN HOSPITAL,

Plaintiff,

v.

MICHAEL O. LEAVITT,

Defendant.

---

Civil Action No. 04-795 (ESH)

**ORDER**

Upon consideration of the pleadings and the record, it is this 12th day of July, 2005,  
hereby

**ORDERED** that defendant's motion for summary judgment is **DENIED**; and it is

**FURTHER ORDERED** that plaintiff's cross-motion for summary judgment is  
**GRANTED**; and it is

**FURTHER ORDERED** that defendant's motion for leave to amend his answer is  
**DENIED** as moot; and it is

**FURTHER ORDERED** that this matter is remanded to the Provider Reimbursement  
Review Board for further proceedings consistent with the accompanying Memorandum Opinion.

**SO ORDERED.**

s/  
\_\_\_\_\_  
ELLEN SEGAL HUVELLE  
United States District Judge