UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA

WILLIE CACHO, M.D., Commander, U.S. Public Health Service,	
Plaintiff,	
v.	Civil Action No. 06-00292 (ESH)
MICHAEL CHERTOFF, Secretary,))
Department of Homeland Security,	
Defendant.	

ORDER

For the reasons explained in the accompanying Memorandum Opinion, defendant's "Motion to Dismiss or, In the Alternative, for Summary Judgment" [Nos. 8, 9] is hereby **DENIED IN PART**, and **GRANTED IN PART**. It is hereby

ORDERED that summary judgment be entered in favor of defendant, and the above-captioned action is **DISMISSED WITH PREJUDICE**.

s/ ELLEN SEGAL HUVELLE United States District Judge

Date: November 27, 2006