

THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

THE UNIVERSITY OF TEXAS  
M.D. ANDERSON CANCER CENTER,

Plaintiff,

v.

KATHLEEN SEBELIUS, Secretary,  
United States Department of Health  
and Human Services

Defendant.

Civil Action No.: RDB-08-0946

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**ORDER**

For the reasons stated in the foregoing Memorandum Opinion, it is this 19th day of April, 2010, ORDERED and ADJUDGED, that:

1. Plaintiff the University of Texas M.D. Anderson Cancer Center's Motion for Summary Judgment (Paper No. 14) is DENIED;
2. The Cross-Motion for Summary Judgment (Paper No. 16) of Defendant Kathleen Sebelius, Secretary of the United States Department of Health and Human Services, is GRANTED;
3. That judgment BE, and it hereby IS, entered in favor of the Defendant and against the Plaintiff;
4. The Clerk of the Court transmit copies of this Order and accompanying Memorandum Opinion to the parties; and
5. The Clerk of Court CLOSE this case.

/s/

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Richard D. Bennett  
United States District Judge