

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

SELECT SPECIALTY HOSPITAL - )  
BLOOMINGTON, INC., *et. al*, and )  
)  
SELECT SPECIALTY HOSPITAL - )  
AUGUSTA, INC., *et. al*, )  
) **Civil Case No. 09cv2008 (RJL),**  
Plaintiffs, )  
) **consolidated with**  
v. )  
) **Civil Case No. 09cv2362 (RJL)**  
KATHLEEN SEBELIUS, Secretary )  
U.S. Dep't of Health and Human Services )  
)  
Defendant. )

*st*

**ORDER**

March 31, 2011 [## 17, 18]

For the reasons set forth above, it is this \_\_\_ day of March, 2011 hereby  
ORDERED that plaintiffs' Motion for Summary Judgment [Dkt. #17] is DENIED, and it  
is further

ORDERED that defendant's Cross Motion for Summary Judgment [Dkt. #18] is  
GRANTED IN PART, and it is further

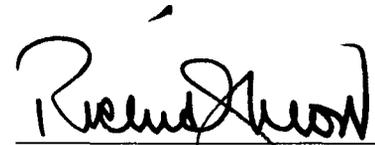
ORDERED that the issue relating to the plaintiffs' two free-standing hospitals  
depicted in the Court's Memorandum Opinion be REMANDED to the Board for further  
explanation, and it is further

ORDERED that within 120 days from the date of this Order, the Board shall  
submit to this Court and to the parties either its added explanation or a status report  
setting forth when it expects to be able to address this issue, and it is further

ORDERED that within 30 days from the date that the Board makes its determination, the parties shall meet and confer regarding the status of this case and shall submit a status report on how the remaining portion of this case should proceed, and it is further

ORDERED that the above-captioned case be DISMISSED with prejudice as to all claims other than the free-standing-hospital issue remanded herein.

SO ORDERED.

  
\_\_\_\_\_  
RICHARD J. LEON  
United States District Judge