

United States Court of Appeals
FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 10-5115

September Term, 2010

FILED: APRIL 24, 2013

AUBURN REGIONAL MEDICAL CENTER, ET AL.,
APPELLANTS

v.

KATHLEEN SEBELIUS, SECRETARY, DEPARTMENT OF HEALTH AND HUMAN SERVICES,
APPELLEE

On Remand from the United States Supreme Court

Before: HENDERSON and GRIFFITH, *Circuit Judges*, and WILLIAMS, *Senior Circuit Judge*.

J U D G M E N T

This matter came to be heard on remand from the United States Supreme Court and the motions of the parties to govern future proceedings. On consideration thereof, it is

ORDERED that this court's judgment filed June 24, 2011, be vacated. It is

FURTHER ORDERED and **ADJUDGED** that the judgment of the district court dismissing the plaintiffs' complaint be affirmed.

Pursuant to D.C. Circuit Rule 36, this disposition will not be published. The Clerk is directed to withhold issuance of the mandate herein until seven days after disposition of any timely petition for rehearing or petition for rehearing en banc. See Fed. R. App. P. 41(b); D.C. Cir. Rule 41.

FOR THE COURT:
Mark J. Langer, Clerk

BY: /s/
Jennifer M. Clark
Deputy Clerk