

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

PHYSICIANS COMMITTEE FOR
RESPONSIBLE MEDICINE,

Plaintiff,

v.

DEPARTMENT OF HEALTH AND
HUMAN SERVICES,

Defendant.

Civil Action No. 06-1392 (JDB)

ORDER

Upon consideration of [12] plaintiff's motion for summary judgment and [16] defendant's cross-motion for summary judgment, and for the reasons stated in the memorandum opinion issued on this date, it is hereby

ORDERED that [12] plaintiff's motion for summary judgment is **GRANTED IN PART** and **DENIED IN PART**; it is further

ORDERED that [16] defendant's motion for summary judgment is **DENIED**; it is further

ORDERED that judgment is entered in favor of plaintiff and against defendant on Claim One of the complaint; and it is further

ORDERED that Claim Two of the complaint is dismissed for failure to state a claim upon which relief can be granted.

SO ORDERED.

/s/

JOHN D. BATES
United States District Judge

Date: March 26, 2007