

UNITED STATES COURT OF APPEALS FOR THE THIRD CIRCUIT

**No. 09-4095**

COOPER UNIVERSITY HOSPITAL,  
Appellant

v.

KATHLEEN SEBELIUS,  
Secretary, Department of Health and Human Services

Pursuant to F.R.A.P. 43(c)

(D.N.J. No. 1-08-cv-03781)

O R D E R

It appearing that in the Petition for Rehearing by Appellant, counsel requested that the panel reissue its Opinion in a precedential format, and that counsel for Appellee agreed with this request in their Answer to the Petition for Rehearing,

At the direction of the court, the Not Precedential Opinion filed on October 12, 2010, will be re-issued in Precedential format.

For the Court,

/s/ Marcia A. Waldron  
Clerk

Dated: 14 January 2011