

FILED

UNITED STATES COURT OF APPEALS

JAN 29 2013

FOR THE NINTH CIRCUIT

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

PALOMAR MEDICAL CENTER, 555
East Valley Parkway, Escondido, CA
92025,

Plaintiff - Appellant,

v.

KATHLEEN SEBELIUS, Secretary of
HHS,

Defendant - Appellee.

No. 10-56529

D.C. No. 3:09-cv-00605-BEN-NLS
Southern District of California,
San Diego

ORDER

Before: PREGERSON, GOULD, and TALLMAN, Circuit Judges.

The panel, as constituted above, has unanimously voted to deny both the
Petition for Panel Rehearing and the Petition for Rehearing En Banc.

The Petition for Rehearing En Banc has been circulated to the full court, and
no judge has requested a vote on whether to rehear the matter en banc. Fed. R.
App. P. 35(b).

Appellant's Petition for Panel Rehearing and Petition for Rehearing En Banc
are denied.