UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

WHEATON COLLEGE, ***Plaintiff*,** **v.** **KATHLEEN SEBELIUS, *et al.*,** ***Defendants.***	**Civil Action No. 12-1169 (ESH)**

ORDER

Upon consideration of defendants' motion to dismiss (August 10, 2012 [Dkt. No. 17]), plaintiff's opposition (August 16, 2012 [Dkt. No. 18]), defendants' reply (August 20, 2012 [Dkt. No. 19]), and oral argument held on August 23, 2012, and for the reasons stated in the accompanying Memorandum Opinion (August 24, 2012 [Dkt. No. 20]), it is hereby

ORDERED that defendants' motion to dismiss is **GRANTED**; and it is further

ORDERED that this action is hereby **DISMISSED** without prejudice; and it is further

ORDERED that plaintiff's Motion for Preliminary Injunction (August 1, 2012 [Dkt. No. 4]) is hereby **DENIED** as moot.

SO ORDERED.

/s/
ELLEN SEGAL HUVELLE
United States District Judge

Date: August 24, 2012