

UNITED STATES COURT OF APPEALS FOR THE FEDERAL CIRCUIT

02-1286

Tommy G. Thompson, SECRETARY OF HEALTH AND HUMAN SERVICES,

Appellant,

v.

CHEROKEE NATION OF OKLAHOMA,

Appellee.

**ORDER**

O R D E R

A combined petition for panel rehearing and for rehearing en banc having been filed by the APPELLANT, and the petition for rehearing having been referred to the panel that heard the appeal, and thereafter the petition for rehearing en banc having been referred to the circuit judges who are in regular active service,

UPON CONSIDERATION THEREOF, it is

ORDERED that the petition for panel rehearing be, and the same hereby is, DENIED and it is further

ORDERED that the petition for rehearing en banc be, and the same hereby is, DENIED.

The mandate of the court will issue on September 19, 2003.

FOR THE COURT,

Jan Horbaly  
Clerk

Dated: September 12, 2003

F L E D  
U.S. COURT OF APPEALS FOR  
THE FEDERAL CIRCUIT

cc: Jeffrica J. Lee  
Lloyd B. Miller  
M. Gross, M. Schmidt, S. Settles

SEP 12 2003  
JUV SN.r

HHS V CHEROKEE NATION OF OKLAHOMA, 02-1286  
(BCA - 3877-3879/98)

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Note: Pursuant to Fed. Cir. R. 47.6, this order is not citable as precedent. It is a public record.

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