

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA**

<b>MENOMINEE INDIAN TRIBE OF WISCONSIN,</b>	)	
	)	
PLAINTIFF,	)	
	)	Case No.: 1:07cv00812
v.	)	
	)	Hon. Rosemary M. Collyer
<b>UNITED STATES OF AMERICA,</b>	)	
<b>MICHAEL O. LEAVITT</b> , Secretary of the	)	
Department of Health & Human Services, and	)	
<b>CHARLES W. GRIM</b> , Director of the	)	
Indian Health Service,	)	
	)	
DEFENDANTS.	)	
	)	

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**ORDER DENYING  
DEFENDANTS' MOTION TO DISMISS**

THIS MATTER having come before the court on Defendants' Motion to Dismiss pursuant to Rules 12(b)(1) and 12(b)(6) of the Federal Rules of Civil Procedure, and the court having considered the submissions of the parties and being otherwise sufficiently advised in this matter, now therefore it is

ORDERED, ADJUDGED AND DECREED, that Defendants' Motion is DENIED; and it is further

ORDERED, that Defendants answer the Plaintiff's Complaint within fourteen (14) days of the entering of this order.

Dated: \_\_\_\_\_

\_\_\_\_\_  
Rosemary M. Collyer  
UNITED STATES DISTRICT JUDGE