

**United States Court of Appeals**  
FOR THE DISTRICT OF COLUMBIA CIRCUIT

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**No. 13-5069****September Term, 2012****1:13-cv-00104-EGS****Filed On:** March 29, 2013

Francis A. Gilardi, et al.,

Appellants

v.

United States Department of Health and  
Human Services, et al.,

Appellees

**BEFORE:** Rogers, Tatel, and Brown, Circuit Judges

**ORDER**

The panel has reconsidered its order filed March 21, 2013, which denied appellants' emergency motion for an injunction pending appeal. Accordingly it is

**ORDERED**, on the court's own motion, that the motion for an injunction pending appeal be granted.

The portion of the March 21, 2013 order setting forth the briefing schedule and scheduling the case for oral argument remains in effect.

**Per Curiam**

**FOR THE COURT:**

Mark J. Langer, Clerk

BY: /s/  
Timothy A. Ralls  
Deputy Clerk