

**IN THE UNITED STATE DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

FIRST CALL AMBULANCE
SERVICE, INC,

Plaintiff,

v.

THE DEPARTMENT OF HEALTH AND
HUMAN SERVICES

and

KATHLEEN SEBELIUS in her official
capacity as Secretary of HHS,

Defendants.

Civil Action No.: 3:10-cv-247

Judge Kevin H. Sharp

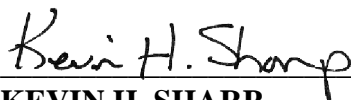
Magistrate Judge John S. Bryant

AGREED ORDER OF DISMISSAL

The parties, Plaintiff First Call Ambulance Service, Inc. and Defendant Department of Health and Human Services, and Kathleen Sebelius, in her official capacity as Secretary/Director of Department of Health and Human Services, by and through their respective counsel, are informing the Court that all matters between these parties have been settled and compromised. Accordingly, this civil action is hereby DISMISSED against the Department of Health and Human Services, and Kathleen Sebelius. Said dismissal shall be without prejudice for a period of ninety (90) days, within which the parties may formalize and implement the terms and conditions of their settlement. The dismissal shall be with prejudice ninety (90) days following the entry of this Order on the docket, unless other action is taken by the Court upon the petition of either party.

It is so **ORDERED**.

ENTERED this the 47th day of October, 2010.



KEVIN H. SHARP
UNITED STATES DISTRICT JUDGE

APPROVED FOR ENTRY:

By: s/ G. Christopher Kelly w/permission
G. CHRISTOPHER KELLY, B.P.R. #19453
P. O. Box 2584
LaGrange, GA 30241
Telephone: (404) 934-8999
Attorney for Plaintiff

JERRY E. MARTIN
United States Attorney

By: s/ S. Delk Kennedy, Jr.
S. DELK KENNEDY, JR., B.P.R. #009799
Assistant United States Attorney
Middle District Tennessee
110 9th Avenue South, Suite A-961
Nashville, Tennessee 37203
Telephone: (615) 736-5151
Attorneys for the Defendant