

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

NICHOLAS E. PURPURA, et al.,

Plaintiffs,

V.

KATHLEEN SEBELIUS et al.,

Defendants.

Case No. 3:10-CV-04814 (FLW)

Motion Day: February 22, 2011

**PROPOSED ORDER GRANTING DEFENDANTS’
MOTION TO DISMISS AND DENYING PLAINTIFFS’
MOTION FOR DEFAULT SUMMARY JUDGMENT**

Upon consideration of defendants' motion to dismiss and plaintiffs' motion for default summary judgment, and any response or reply thereto, it is hereby

ORDERED that defendants' motion to dismiss is GRANTED and that plaintiffs' motion for default summary judgment is DENIED.

Dated: _____

FREDA L. WOLFSON
UNITED STATES DISTRICT JUDGE