

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

AMERICAN HOSPITAL	:	
ASSOCIATION, <i>et al.</i> ,	:	
	:	
Plaintiffs,	:	Civil Action No.: 18-2084 (RC)
	:	
v.	:	Re Document No.: 69
	:	
XAVIER BECERRA, in his official capacity	:	
as the Secretary of Health and Human Services,	:	
<i>et al.</i> ,	:	
	:	
Defendants.	:	

**ORDER**

**GRANTING IN PART AND DENYING IN PART PLAINTIFFS’ MOTION TO HOLD UNLAWFUL AND  
REMEDY DEFENDANTS’ PAST UNDERPAYMENTS OF 340B DRUGS**

For the reasons stated in the Court’s Memorandum Opinion separately and contemporaneously issued, Plaintiffs’ Motion to Hold Unlawful and Remedy Defendants’ Past Underpayments of 340B Drugs (ECF No. 69) is **GRANTED IN PART AND DENIED IN PART**. It is hereby:

**ORDERED** that the case is remanded to HHS for further consideration consistent with the Memorandum Opinion.

**SO ORDERED.**

Dated: January 10, 2023

RUDOLPH CONTRERAS  
United States District Judge