

May 15, 2003

Charles R. Fulbruge III  
Clerk

**UNITED STATES COURT OF APPEALS  
FIFTH CIRCUIT**

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No. 02-20792

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THE ASSOCIATION OF AMERICAN PHYSICIANS &  
SURGEONS INC; RON PAUL, Congressman M D; DAWN  
RICHARDSON; REBECCA REX; DARRELL MCCORMICK,

Plaintiffs - Appellants,

versus

UNITED STATES DEPARTMENT OF HEALTH AND HUMAN  
SERVICES; TOMMY THOMPSON, as Secretary of the U S  
Department of Health and Human Services,

Defendants - Appellees.

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Appeal from the United States District Court  
For the Southern District of Texas  
H-01-CV-2963

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Before DUHÉ, EMILIO M. GARZA, and DeMOSS, Circuit Judges.

PER CURIAM:\*

AFFIRMED. *Ass'n of Am. Physicians & Surgeons v. U.S. Dep't of Health & Human*

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\* Pursuant to 5TH CIR. R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR. R. 47.5.4.

*Servs.*, 224 F. Supp. 2d 1115 (S.D. Tex. 2002).