

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION**

THE ASSOCIATION OF AMERICAN)	
PHYSICIANS & SURGEONS, INC.,)	
Plaintiff,)	Civil Action
)	
v.)	No. 1:08-cv-675-LY
)	
THE TEXAS MEDICAL BOARD (TMB), <i>et al.</i> ,)	
Defendants.)	

[PROPOSED] ORDER

On considering Defendants’ Rule 12(b)(1) Motion to Dismiss Claims for Lack of Standing, the briefs filed in support and opposition thereto, and the entire record herein, the Court finds that Defendants’ Motion is without foundation. For the foregoing reasons, it is hereby:

ORDERED that Defendants’ Motion is denied.

Dated: _____, 2008

UNITED STATES DISTRICT JUDGE