

1973 WL 1293
United States District Court, District of Columbia.

Nelson Eugene Souder et al., Plaintiffs

v.

Peter J. Brennan et al., Defendants.

Civil No. 482-73

July 27, 1973

ROBINSON, D. J.

Order

*1 Upon consideration of Defendants' Motion to Dismiss, or, in the alternative, for Summary Judgment, the Opposition thereto and the entire record herein, it appearing to the Court that Defendants', contention that their unreviewable discretion controls this matter is illfounded, *Adams v. Richardson*, No. 73-1273, (D. C. Cir. June 12, 1973), *Office Employees International Union v. N. L. R. B.*, [32 LC P 70,675] 353 U. S. 313 (1957), and it further appearing that an important question of Congressional intent exists as to coverage of hospital patient-workers under the 1966 amendments to the Fair Labor Standards Act, now therefore it is this 27th day of July, 1973,

Ordered, that Defendants' Motion for Summary Judgment be and hereby is denied, and it is

Further ordered, that all parties shall submit, within sixty (60) days of date, supplementary memoranda of law on the legislative history of Public Law 89-601 as it relates to the issues herein.