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ALABAMA COURT OF CIVIL APPEALS

OCTOBER TERM, 2012-2013

2090239

Sacred Heart Health System, Inc.

v.

Infirmary Health System and South Baldwin Regional Medical
Center

Infirmary Health System and South Baldwin Regional Medical
Center

v.

Sacred Heart Health System, Inc.

Appeals from Montgomery Circuit Court
(CV-07-900905)

2090239

After Remand from the Alabama Supreme Court

THOMAS, Judge.

This court's prior judgment has been reversed and the cause remanded by the Alabama Supreme Court. Ex parte Sacred Heart Health Sys., Inc., [Ms. 1091788, November 21, 2012] ___ So. 3d ___, ___ (Ala. 2012). In compliance with the directive set out in that opinion, we remand the cause to the trial court for 90 days for that court to conduct "any further proceedings it deems necessary and for the trial court to apply the [physician's office exemption] application test [set out in our supreme court's opinion] to the [Sacred Heart Medical Group] leased space in the medical-building project in a manner consistent with [our supreme court's] opinion." ___ So. 3d at ___.

REMANDED WITH INSTRUCTIONS.

Thompson, P.J., and Pittman, Bryan, and Moore, JJ.,
concur.