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**(S.D.)- SD Hospital To Move Lawsuit To Claims Court**



By: Jeremy Anderson Posted at: 01/10/2013 11:29 AM

MARTIN, S.D. (AP) - A lawyer for a South Dakota hospital suing Indian Health Service for services provided to an American Indian tribe says the hospital has agreed to dismiss the case in federal district court and will refile the lawsuit U.S. Court of Federal Claims.

Bennett County Hospital and Nursing Home in Martin sued the federal government in September, saying it is owed \$1.65 million for services provided to members of the Oglala Sioux Tribe.

Donald Bruce is the lawyer for the hospital. He tells The Associated Press he will be refiling the lawsuit in U.S. Court of Federal Claims within the month. He says the hospital has "a better opportunity" there.

The federal government had contended the lawsuit belonged in the U.S. Court of Federal Claims.