

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF FLORIDA
PENSACOLA DIVISION**

STATE OF FLORIDA, by and)
 through PAM BONDI, *et al.*,)
)
 Plaintiffs,)
)
 v.)
)
 UNITED STATES DEPARTMENT)
 OF HEALTH AND HUMAN)
 SERVICES, *et al.*,)
)
 Defendants.)
 _____)

Case No. 3:10-cv-91-RV/EMT

NOTICE OF APPEAL

PLEASE TAKE NOTICE that defendants, the United States Department of Health and Human Services; Kathleen Sebelius, in her official capacity as Secretary of Health and Human Services; the United States Department of the Treasury; Timothy F. Geithner, in his official capacity as Secretary of the Treasury; the United States Department of Labor; and Hilda L. Solis, in her official capacity as Secretary of Labor, hereby appeal to the United States Court of Appeals for the Eleventh Circuit from the Final Summary Declaratory Judgment (Doc. 151) and Order Granting Summary Judgment (Doc. 150) granting summary judgment in part to plaintiffs and denying summary judgment in part to defendants, entered in this action on January 31, 2011, as clarified by the Order (Doc. 167) entered in this action on March 3, 2011; and from all previous rulings in this action, including the Order and Memorandum Opinion (Doc. 79) denying in part defendants' motion to dismiss, entered in this action on October 14, 2010.

Dated: March 8, 2011

Respectfully submitted,

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Assistant Attorney General

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/s/ Eric Beckenhauer

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Attorneys for Defendants

CERTIFICATE OF SERVICE

I hereby certify that on March 8, 2011, the foregoing document was filed with the Clerk of Court via the CM/ECF system, causing it to be served on Plaintiffs' counsel of record.

/s/ Eric B. Beckenhauer

ERIC B. BECKENHAUER