

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

TEXAS MEDICAL ASSOCIATION, *et al.*,

Plaintiffs,

v.

U.S. DEPARTMENT OF HEALTH AND
HUMAN SERVICES, *et al.*,

Defendants.

No. 6:22-cv-00372-JDK

Lead Consolidated Case

NOTICE OF APPEAL

PLEASE TAKE NOTICE that all Defendants—the United States Department of Health and Human Services; the United States Department of the Treasury; the United States Department of Labor; the Office of Personnel Management; Xavier Becerra, in his official capacity as the Secretary of Health and Human Services; Janet Yellen, in her official capacity as the Secretary of the Treasury; Julie Su, in her official capacity as the Acting Secretary of Labor¹; and Kiran Ahuja, in her official capacity as the Director of the Office of Personnel Management—hereby appeal to the United States Court of Appeals for the Fifth Circuit from the Memorandum Opinion and Order (ECF No. 99) granting summary judgment to the Plaintiffs and denying summary judgment to the Defendants, entered in this action on February 6, 2023; from the Final Judgment (ECF No. 100) in favor of the Plaintiffs, entered in this action on the same date; and from all previous rulings in these consolidated actions.

Dated: April 6, 2023

Respectfully submitted,

¹ See Fed. R. Civ. P. 25(d).

BRIAN M. BOYNTON
Principal Deputy Assistant Attorney General

BRIT FEATHERSTON
United States Attorney

ERIC B. BECKENHAUER
Assistant Branch Director

/s/ Anna Deffebach
ANNA DEFFEBACH
Trial Attorney
D.C. Bar No. 241346
United States Department of Justice
Civil Division, Federal Programs Branch
1100 L Street, NW
Washington, DC 20005
Phone: (202) 305-8356
Fax: (202) 616-8470
E-mail: anna.l.deffebach@usdoj.gov

Counsel for Defendants

CERTIFICATE OF SERVICE

I hereby certify that on April 6th, 2023, I electronically filed the foregoing document through the Court's CM/ECF system which will send notification of such filing to all counsel of record.

/s/ Anna Deffebach
Anna Deffebach