

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

LIFENET, INC., *et al.*,

Plaintiffs,

v.

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

Defendants.

No. 6:22-cv-00373-JDK

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 Labor<sup>1</sup>; 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 in the Lead Consolidated Case, *Texas Medical Association v. U.S. Department of Health & Human Services*, No. 6:22-cv-372, ECF No. 99 (E.D. Tex. Feb. 6, 2023), granting summary judgment to the Plaintiffs and denying summary judgment to the Defendants, entered in this action on February 6, 2023; from the Final

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<sup>1</sup> See Fed. R. Civ. P. 25(d).

Judgment entered in this case (ECF No. 6) in favor of the Plaintiffs on the same date; and from all previous rulings in these consolidated actions.

Dated: April 6, 2023

Respectfully submitted,

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](mailto: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