

**NOTICE OF APPEAL**  
**IN THE UNITED STATES DISTRICT COURT**  
**FOR THE EASTERN DISTRICT OF NEW YORK**

DR. DANIEL HALLER and LONG ISLAND  
SURGICAL PLLC,

*Plaintiffs,*

v.

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

*Defendants*

**NOTICE OF APPEAL**

No. 21-cv-7208-AMD

Notice is hereby given (in accordance with this Court's November 9, 2022 Scheduling Order) that DR. DANIEL HALLER and LONG ISLAND SURGICAL PLLC, hereby appeal to the United States Court of Appeals for the Second Circuit from all parts of the Decision and Order of the Honorable Ann M. Donnelly, denying plaintiffs' motion for declaratory and injunctive relief concerning the "No Surprise Act" and related "Administrative Procedure Act", denying a restraining order and injunction, and granting defendants' motion to dismiss all causes of action, including the seventh amendment claim, fifth amendment takings claim and due process claim, deprivation of common law claims, and claims the Regulations exceed authority by the Act, and entered as a judgment on August 11, 2022.

Dated: November 17, 2022

Respectfully Submitted

*/s/ Nick Wilder, Esq.*  
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