

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

TEXAS MEDICAL ASSOCIATION, et al.,)	
)	
<i>Plaintiffs,</i>)	
)	Case No.: 6:22-cv-00450-JDK
v.)	
)	Lead Consolidated Case
UNITED STATES DEPARTMENT OF)	
HEALTH AND HUMAN SERVICES, et al.,)	
)	
<i>Defendants.</i>)	

LIFENET, INC., et al.,)	
)	
<i>Plaintiffs,</i>)	
)	Case No.: 6:22-cv-00453-JDK
v.)	
)	
UNITED STATES DEPARTMENT OF)	
HEALTH AND HUMAN SERVICES, et al.,)	
)	
<i>Defendants.</i>)	

NOTICE OF PARTIAL CROSS-APPEAL

PLEASE TAKE NOTICE that Plaintiffs LifeNet, Inc., East Texas Air One, LLC, Rocky Mountain Holdings, LLC, and Air Methods Corporation hereby cross-appeal to the United States Court of Appeals for the Fifth Circuit:

- From those portions of the Memorandum Opinion and Order (ECF No. 62 in No. 6:22- cv-00450-JDK) denying Plaintiffs’ motion for summary judgment regarding the July Rule’s Qualifying Payment Amount disclosure requirements at 45 C.F.R. § 149.140(d), 26 C.F.R. § 54.9816-6T(d), and 29 C.F.R. § 2590.716-6(d) (ECF No. 62 at 22–25 in No. 6:22-cv-450-JDK), entered on August 24, 2023; and

- From those portions of the Final Judgments (ECF No. 63 in No. 6:22-cv-00450-JDK and ECF No. 25 in No. 6:22-cv-00453-JDK), entered on the same date denying Plaintiffs' motion for summary judgment regarding the July Rule's Qualifying Payment Amount disclosure requirements at 45 C.F.R. § 149.140(d), 26 C.F.R. § 54.9816-6T(d), and 29 C.F.R. § 2590.716-6(d) (ECF No. 63 at 3 ¶(1) in No. 6:22-cv-00450-JDK and ECF No. 25 at 3 ¶(1) in No. 6:22-cv-453-JDK); and
- From all previous rulings in these consolidated actions.

Date: November 3, 2023

Respectfully submitted,

By: /s/Steven M. Shepard
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CERTIFICATE OF SERVICE

I hereby certify that on November 3, 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/Steven M. Shepard
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