

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

HIV AND HEPATITIS POLICY
INSTITUTE, et al.,

Plaintiffs,

v.

UNITED STATES DEPARTMENT OF
HEALTH AND HUMAN SERVICES, et al.,

Defendants.

Civil Action No. 1:22-cv-2604 (JDB)

NOTICE OF APPEAL

Notice is hereby given that Defendants United States Department of Health and Human Services, Xavier Becerra, in his official capacity as Secretary of Health and Human Services, the Centers for Medicare & Medicaid Services (“CMS”), and Chiquita Brooks-LaSure, in her official capacity as Administrator of CMS, hereby appeal to the United States Court of Appeals for the D.C. Circuit from the memorandum opinion (Dkt. No. 42) and order (Dkt. No. 41) entered by the Court on September 29, 2023.

Dated: November 28, 2023

Respectfully submitted,

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