

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION**

NATIONAL INFUSION CENTER
ASSOCIATION *et al.*,

Plaintiffs,

vs.

ROBERT F. KENNEDY, JR., in his official capacity
as Secretary of Health and Human Services, *et al.*,

Defendants.

Civil Action No. 1:23-cv-00707

NOTICE OF APPEAL

Notice is hereby given that Plaintiffs, the National Infusion Center Association, the Global Colon Cancer Association, and the Pharmaceutical Research and Manufacturers of America, appeal to the United States Court of Appeals for the Fifth Circuit regarding this Court's Order dated August 7, 2025 (a copy of which is attached hereto), denying Plaintiffs' motion for summary judgment and granting the cross-motion for summary judgment of Defendants Robert F. Kennedy, Jr., in his official capacity as Secretary of the United States Department of Health and Human Services, the United States Department of Health and Human Services, Dr. Mehmet Oz, in his official capacity as Administrator of the Centers for Medicare and Medicaid Services, and the Centers for Medicare and Medicaid Services.

Dated: August 13, 2025

Respectfully submitted,

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