

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

NATIONAL INFUSION CENTER
ASSOCIATION, on behalf of itself and its
members; GLOBAL COLON CANCER
ASSOCIATION, on behalf of itself and its
members; and PHARMACEUTICAL RESEARCH
AND MANUFACTURERS OF AMERICA, on
behalf of itself and its members,

Plaintiffs,

vs.

XAVIER BECERRA, in his official capacity as
Secretary of the U.S. Department of Health and
Human Services, *et al.*,

Defendants.

Civil Action No. 1:23-cv-00707-DAE

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 February 12, 2024 (a copy of which is attached hereto), dismissing Plaintiff the National Infusion Center Association for lack of subject matter jurisdiction under Federal Rule of Civil Procedure 12(b)(1) and dismissing the case as to all parties for lack of venue under Federal Rule of Civil Procedure 12(b)(3).

Dated: March 6, 2024

Respectfully submitted,

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