



U.S. Department of Justice
Civil Division, Appellate Staff
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September 2, 2025

VIA CM/ECF

Lyle W. Cayce, Clerk of Court
U.S. Court of Appeals for the Fifth Circuit
600 S. Maestri Place, Suite 115
New Orleans, LA 70130
(504) 310-7700

RE: *Purl v. U.S. Dep't of Health & Human Servs.*, No. 25-10743 (5th Cir.)

Dear Mr. Cayce:

We are writing to inform the Court that the federal government is not planning to file a response brief in this appeal. The district court case from which this appeal arises involves a challenge brought by plaintiffs to a final rule of the U.S. Department of Health and Human Services. The district court denied Appellants' motion to intervene in defense of the rule on April 15, 2025, and issued an order vacating the final rule on June 18, 2025. The proposed intervenors noticed appeals from both decisions, and the federal government did not notice an appeal. At this time, the federal government does not intend to file a brief in this appeal with respect to the district court's intervention or vacatur decisions.

Sincerely,

MICHAEL S. RAAB

/s/ Cynthia Barmore

CYNTHIA BARMORE

Attorneys

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cc: Counsel of Record (via CM/ECF)

CERTIFICATE OF SERVICE

I hereby certify that on September 2, 2025, I electronically filed the foregoing with the Clerk of the Court for the United States Court of Appeals for the Fifth Circuit by using the appellate CM/ECF system. Service will be accomplished by the appellate CM/ECF system.

s/ Cynthia Barmore
Cynthia Barmore