



U.S. Department of Justice
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July 16, 2025

VIA CM/ECF

David J. Smith, Clerk of Court
U.S. Court of Appeals for the Eleventh Circuit
56 Forsyth Street NW
Atlanta, GA 30303

Re: *Florida v. HHS*, No. 25-11927

Dear Mr. Smith:

We write in response to the Court's order of July 2, 2025, directing the parties to address whether this appeal is taken from a final or otherwise appealable judgment.

This appeal was taken from a final judgment. Plaintiffs appeal the district court's April 9, 2025 order "convert[ing] the administrative closure into a full closure," Dkt. No. 71, and the district court's June 5, 2025 order denying plaintiffs' motion to reopen the case and motion for reconsideration/clarification and stating that "[t]here is no case or controversy presently pending," Dkt. No. 76. *See* Pls.' Not. of Appeal, Dkt. No. 77. Although an "administrative closure" is "not the same as dismissing a case," *Martinez v. Carnival Corp.*, 744 F.3d 1240, 1244 (11th Cir. 2014), the district court in this case converted the administrative closure into a "full closure" and dismissed the case as moot. These orders dismissing the case as moot constitute a final judgment because they "end[ed] the litigation" and left "nothing for the court to do but execute the judgment." *In re Alchar Hardware*, 730 F.2d 1386, 1388 (11th Cir. 1984) (quotation marks omitted).

Additionally, on June 9, 2025, the district court entered an order confirming that it was "dismiss[ing] this case without prejudice as moot and not capable of repetition within any reasonable time frame." Dkt. No. 79. That order confirms that the district court has entered final judgment in this case. Plaintiffs also appealed that order, Dkt. No. 80, and this Court docketed that appeal as Case No. 25-12095. Plaintiffs filed an unopposed motion to consolidate the appeals. The consolidation of the two appeals

should eliminate any uncertainty that may have existed about the Court's appellate jurisdiction.

Respectfully submitted,

CHARLES W. SCARBOROUGH

s/ Ashley C. Honold

ASHLEY C. HONOLD

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CERTIFICATE OF INTERESTED PERSONS AND CORPORATE DISCLOSURE STATEMENT

Pursuant to Eleventh Circuit Rule 26.1-1, the undersigned counsel certifies that the following persons have an interest in the outcome of this appeal:

Alliance Defending Freedom

Bennett, Michelle R., U.S. Department of Justice

Blake, Julie Marie, Alliance Defending Freedom

Bowman, Matthew S., Alliance Defending Freedom

Boyden Gray, PLLC

Catholic Medical Association

Centers for Medicare and Medicaid Services

Christmas, Natalie, Florida Attorney General's Office

Conde, James, Boyden Gray, PLLC

Cortman, David Andrew, Alliance Defending Freedom

DeSousa, Jeffrey DeSousa, Florida Attorney General's Office

Florida

Florida Agency For Health Care Administration

Florida Attorney General Service

Florida Attorney General's Office

Florida Department of Management Services

Guard, John Matthew,

Holland, Liam C., U.S. Department of Justice

Honold, Ashley Cheung, U.S. Department of Justice

Huang, Allen, Florida Attorney General's Office

Jung, William F., U.S. District Court for the Middle District of Florida

Kennedy Jr., Robert F. Secretary, Department of Health and Human Services

Larson, Kristen, Florida Department of Management Services

McCotter, R. Trent, Boyden Gray, PLLC

Newman, Jeremy S.B., U.S. Department of Justice

Oz, Mehmet, Administrator, Centers for Medicare & Medicaid Services

Percival, James Hamilton, II, Office of the Florida Attorney General

Pope, Allison Holly, Alliance Defending Freedom

Scarborough, Charles W., U.S. Department of Justice

Sheeran, Andrew Taylor, Florida Agency for Health Care Administration

Sherwood, Zachary, U.S. Department of Justice

Shumate, Brett, U.S. Department of Justice

Stannard, Paula M., Director, Office for Civil Rights, Department of Health
and Human Services

U.S. Department of Health and Human Services

Uthmeier, James, Florida Attorney General

Whitaker, Henry Charles, Office of the Florida Attorney General

As far as the undersigned is aware, no publicly traded corporation has an interest in the outcome of this appeal.

s/ Ashley C. Honold

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CERTIFICATE OF SERVICE

I hereby certify that on July 16, 2025, I electronically filed the foregoing with the Clerk of the Court for the United States Court of Appeals for the Eleventh Circuit by using the appellate CM/ECF system. The participants in the case are registered CM/ECF users and service will be accomplished by the appellate CM/ECF system.

s/ Ashley C. Honold

ASHLEY C. HONOLD