

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA**

CASE NO.: 25-CV-80526-MIDDLEBROOKS

GOOD SAMARITAN MEDICAL CENTER,
INC., DELRAY MEDICAL CENTER,
INC., PALM BEACH GARDENS
COMMUNITY HOSPITAL, INC. D/B/A
PALM BEACH GARDENS MEDICAL
CENTER, ST. MARY'S MEDICAL
CENTER, INC., AND WEST BOCA
MEDICAL CENTER, INC.,

Plaintiffs,

v.

THE LEAPFROG GROUP,

Defendants.

NOTICE OF APPEAL

Notice is hereby respectfully given that The Leapfrog Group, Defendant in the above named case, hereby appeals to the United States Court of Appeal for the Eleventh Circuit from the following orders and judgment entered in the above-captioned case:

- (1) The Order on Defendant's Motion to Dismiss (Dkt. 41, entered July 15, 2025);
- (2) The Order on Defendant's Motion for Summary Judgment (Dkt. 139, entered January 7, 2026); and
- (3) The Order Following Bench Trial and Final Judgment (Dkt. 212 and 214, entered March 6, 2026, and April 6, 2026, respectively)

Defendant files this notice of appeal as a protective matter. Defendant understands this notice to be premature under Federal Rule of Appellate Procedure 4(a)(4)(A) because Defendant has filed a motion to alter or amend the judgment or for a new trial under Federal Rule of Civil Procedure 59, and that motion remains pending. The Court therefore retains jurisdiction to resolve that pending motion, and this notice of appeal will become effective only upon entry of an order disposing of that motion. Fed. R. of App. P. 4(a)(4)(B)(i); *see Stansell v. Revolutionary Armed Forces of Colombia*, 771 F.3d 713, 745–46 (11th Cir. 2014). Defendant respectfully files this

notice of appeal now solely out of an abundance of caution to preserve all appellate rights.

Dated: April 30, 2026

/s/ Jason D. Sternberg

Jason D. Sternberg

Derek L. Shaffer

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 30th day of April, 2026, I electronically filed the foregoing document with the Clerk of Court using CM/ECF.

/s/ Jason D. Sternberg

Jason D. Sternberg

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