

**IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF FLORIDA  
Pensacola Division**

**Case No.: 3:10-cv-91-RV/EMT**

**STATE OF FLORIDA, by and through  
PAM BONDI, ATTORNEY GENERAL  
OF THE STATE OF FLORIDA;**

**STATE OF SOUTH CAROLINA, by and through  
ALAN WILSON, ATTORNEY GENERAL  
OF THE STATE OF SOUTH CAROLINA;**

**STATE OF NEBRASKA, by and through  
JON BRUNING, ATTORNEY GENERAL  
OF THE STATE OF NEBRASKA;**

**STATE OF TEXAS, by and through  
GREG ABBOTT, ATTORNEY GENERAL  
OF THE STATE OF TEXAS;**

**STATE OF UTAH, by and through  
MARK L. SHURTLEFF, ATTORNEY GENERAL  
OF THE STATE OF UTAH;**

**STATE OF LOUISIANA, by and through  
JAMES D. "BUDDY" CALDWELL, ATTORNEY  
GENERAL OF THE STATE OF LOUISIANA;**

**STATE OF ALABAMA, by and through  
LUTHER STRANGE, ATTORNEY GENERAL  
OF THE STATE OF ALABAMA;**

**BILL SCHUETTE, ATTORNEY GENERAL  
OF THE STATE OF MICHIGAN, ON BEHALF OF  
THE PEOPLE OF MICHIGAN;**

**STATE OF COLORADO, by and through  
JOHN W. SUTHERS, ATTORNEY GENERAL  
OF THE STATE OF COLORADO;**

**COMMONWEALTH OF PENNSYLVANIA, by  
and through THOMAS W. CORBETT, Jr.,  
GOVERNOR OR THE COMMONWEALTH  
OF PENNSYLVANIA, and WILLIAM H. RYAN,**

**Jr., ACTING ATTORNEY GENERAL OF THE  
COMMONWEALTH OF PENNSYLVANIA;**

**STATE OF WASHINGTON, by and through  
ROBERT M. McKENNA, ATTORNEY GENERAL  
OF THE STATE OF WASHINGTON;**

**STATE OF IDAHO, by and through  
LAWRENCE G. WASDEN, ATTORNEY GENERAL  
OF THE STATE OF IDAHO;**

**STATE OF SOUTH DAKOTA, by and through  
MARTY J. JACKLEY, ATTORNEY GENERAL  
OF THE STATE OF SOUTH DAKOTA;**

**STATE OF INDIANA, by and through  
GREGORY F. ZOELLER, ATTORNEY GENERAL  
OF THE STATE OF INDIANA;**

**STATE OF NORTH DAKOTA, by and through  
WAYNE STENEHJEM, ATTORNEY GENERAL  
OF THE STATE OF NORTH DAKOTA;**

**STATE OF MISSISSIPPI, by and through  
HALEY BARBOUR, GOVERNOR OF  
THE STATE OF MISSISSIPPI;**

**STATE OF ARIZONA, by and through JANICE K.  
BREWER, GOVERNOR OF THE STATE OF ARIZONA,  
and THOMAS C. HORNE, ATTORNEY GENERAL OF  
THE STATE OF ARIZONA;**

**STATE OF NEVADA, by and through BRIAN SANDOVAL,  
GOVERNOR OF THE STATE OF NEVADA;**

**STATE OF GEORGIA, by and through SAMUEL S. OLENS,  
ATTORNEY GENERAL OF THE STATE OF GEORGIA;**

**STATE OF ALASKA, by and through  
JOHN J. BURNS, ATTORNEY GENERAL OF  
THE STATE OF ALASKA;**

**STATE OF OHIO, by and through MICHAEL DeWINE,  
ATTORNEY GENERAL OF THE STATE OF OHIO;**

**STATE OF KANSAS, by and through DEREK SCHMIDT,**

**ATTORNEY GENERAL OF THE STATE OF KANSAS;**

**STATE OF WYOMING, by and through MATTHEW  
H. MEAD, GOVERNOR OF THE STATE OF WYOMING;**

**STATE OF WISCONSIN, by and through J.B. VAN  
HOLLEN, ATTORNEY GENERAL OF THE  
STATE OF WISCONSIN;**

**STATE OF MAINE, by and through WILLIAM J.  
SCHNEIDER, ATTORNEY GENERAL OF THE  
STATE OF MAINE;**

**TERRY E. BRANSTAD, GOVERNOR OF THE STATE  
OF IOWA, ON BEHALF OF THE PEOPLE OF IOWA;**

**NATIONAL FEDERATION OF INDEPENDENT  
BUSINESS, a California nonprofit mutual benefit  
corporation;**

**MARY BROWN, an individual; and**

**KAJ AHLBURG, an individual;**

**Plaintiffs,**

**v.**

**UNITED STATES DEPARTMENT OF  
HEALTH AND HUMAN SERVICES;  
KATHLEEN SEBELIUS, in her official  
capacity as the Secretary of the United States  
Department of Health and Human Services;  
UNITED STATES DEPARTMENT OF  
THE TREASURY; TIMOTHY F.  
GEITHNER, in his official capacity as the  
Secretary of the United States Department  
of the Treasury; UNITED STATES  
DEPARTMENT OF LABOR; and HILDA  
L. SOLIS, in her official capacity as Secretary  
of the United States Department of Labor,**

**Defendants.**

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**NOTICE OF CROSS-APPEAL**

Notice is hereby given that all Plaintiff States as listed above – Florida, North Carolina, Nebraska, Texas, Utah, Louisiana, Alabama, Michigan, Colorado, Pennsylvania, Washington, Idaho, South Dakota, Indiana, North Dakota, Mississippi, Arizona, Nevada, Georgia, Alaska, Ohio, Kansas, Wyoming, Wisconsin, Maine, and Iowa – hereby cross-appeal the above-referenced case to the United States Court of Appeals for the Eleventh Circuit from the adverse disposition of claims in the Final Summary Declaratory Judgment Order [Doc. 151] and the Order (and Memorandum Opinion) Granting Summary Judgment [Doc. 150], both entered January 31, 2011, and in the Order and Memorandum Opinion granting in part and denying in part Defendants’ motion to dismiss [Doc. 79], entered on October 14, 2010, and any other adverse rulings in this action.

Respectfully submitted,

**PAMELA JO BONDI**  
**ATTORNEY GENERAL OF FLORIDA**

/s/ Blaine H. Winship

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**CERTIFICATE OF SERVICE**

I hereby certify that, on this 10th day of March, 2011, a copy of the foregoing was served on all counsel of record for all parties through the Court's Notice of Electronic Filing system.

/s/ Blaine H. Winship  
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Office of the Attorney General of Florida