

**United States Court of Appeals*****For The Eighth Circuit***

Thomas F. Eagleton U.S. Courthouse  
111 South 10th Street, Room 24.329

**St. Louis, Missouri 63102**

**Michael E. Gans**  
*Clerk of Court*

**VOICE (314) 244-2400**  
**FAX (314) 244-2780**  
[www.ca8.uscourts.gov](http://www.ca8.uscourts.gov)

February 25, 2011

Mr. Henry Charles Whitaker  
U.S. DEPARTMENT OF JUSTICE  
Civil Division, Appellate Staff  
7256  
950 Pennsylvania Avenue, N.W.  
Washington, DC 20530-0001

RE: 10-1377 MedCenter One Health Systems, et al v. Kathleen Sebelius, etc.

Dear Counsel:

The court today issued an opinion in this case. Judgment in accordance with the opinion was also entered today.

Please review [Federal Rules of Appellate Procedure](#) and the [Eighth Circuit Rules](#) on post-submission procedure to ensure that any contemplated filing is timely and in compliance with the rules. Note particularly that petitions for rehearing and petitions for rehearing en banc must be received in the clerk's office within 45 days of the date of the entry of judgment. Counsel-filed petitions must be filed electronically in CM/ECF. Paper copies are not required. No grace period for mailing is allowed, and the date of the postmark is irrelevant, for pro-se-filed petitions. Any petition for rehearing or petition for rehearing en banc which is not received within the 45 day period for filing permitted by FRAP 40 may be denied as untimely.

Michael E. Gans  
Clerk of Court

DMS  
Enclosure(s)

cc: Mr. Robert Ansley  
Mr. John Philip Borger  
Ms. Patricia L. Bossert  
Ms. Colleen M. Faddick  
Mr. Thomas Jeffrey Fitzgerald  
Ms. Shon Hastings  
Mr. Michael Raab  
Mr. James Patrick Thomas  
Ms. Marie Elizabeth Williams

District Court/Agency Case Number(s): 1:08-cv-00063-DLH