

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

**STATE OF FLORIDA, by and through  
Bill McCollum, et al.,**

**Plaintiffs,**

**v.**

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

**UNITED STATES DEPARTMENT OF  
HEALTH AND HUMAN SERVICES,  
et al.,**

**Defendants.**

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**PLAINTIFFS' NOTICE OF SUPPLEMENTAL AUTHORITY**

On December 13, 2010, the United States District Court for the Eastern District of Virginia issued an opinion finding unconstitutional on its face the Individual Mandate provision of the Patient Protection and Affordable Care Act ("ACA"), ACA § 1501. *Commonwealth of Virginia v. Sebelius*, No. 10-CV-00188-HEH (E.D. Va. Dec. 13, 2010). The constitutionality of this same provision is at issue before this Court. A copy of the opinion is attached.

Like the Plaintiffs here, Virginia asserted that Congress exceeded its Article I powers in enacting the ACA's Individual Mandate. The District Court accepted this claim, holding that Congress lacks constitutional authority to enact a mandate that broadly requires individuals to obtain healthcare insurance.

Respectfully submitted,

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**CERTIFICATE OF SERVICE**

I hereby certify that, on this 14th day of December, 2010, a copy of the foregoing Plaintiffs' Notice of Supplemental Authority was served on counsel of record for all Defendants through the Court's Notice of Electronic Filing system.

/s/ Blaine H. Winship  
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