

**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
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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.

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
Blaine H. Winship
Special Counsel
Office of the Attorney General of Florida