

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA**

RICHMOND DIVISION

COMMONWEALTH OF)
VIRGINIA EX REL. KENNETH)
T. CUCCINELLI, II,)
in his official capacity as Attorney)
General of Virginia,)

Plaintiff,)

v.)

No. 3:10-cv-00188-HEH

KATHLEEN SEBELIUS,)
Secretary of the Department)
of Health and Human Services,)
in her official capacity,)
Defendant)

ORDER GRANTING LEAVE
TO FILE BRIEF AS *AMICI CURIAE*

This matter is before the Court on the motion of *amici* American Center for Law and Justice, United States Representatives Paul Broun, Todd Akin, Rob Bishop, John Boehner, Michael Burgess, Dan Burton, Eric Cantor, Mike Conaway, Mary Fallin, John Fleming, Virginia Foxx, Trent Franks, Scott Garrett, Louie Gohmert, Bob Goodlatte, Jeb Hensarling, Walter Jones, Steve King, Doug Lamborn, Robert Latta, Michael McCaul, Cathy McMorris Rodgers, Jerry Moran, Mike Pence, Jean Schmidt, Lamar Smith, Todd Tiahrt, and Zach Wamp, and the Constitutional Committee to Challenge the President and Congress on Health Care for leave to file a brief as *amici curiae* supporting Plaintiff's opposition to the Defendant's motion to dismiss.

Having considered the motion, IT IS ORDERED that the motion for leave to file a brief as *amici curiae* is granted; and

IT IS FURTHER ORDERED that the Clerk shall cause the Proposed Brief to be filed and entered on the docket of the above-captioned matter.

Entered. H
Done: June 10, 2010

 H /s/
Hon. Henry E. Hudson
United States District Judge