

**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.)

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

Defendant.)

Civil Action No. 3:10-cv-00188-HEH

**[proposed] ORDER GRANTING LEAVE
TO FILE BRIEF AS AMICI CURIAE**

This matter is before the Court on the motion of *amici* Jack M. Balkin, Gillian E. Metzger, and Trevor W. Morrison for leave to file a brief as *amici curiae* supporting 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.

Date: _____

Hon. Henry E. Hudson
United States District Judge