

**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 OF *AMICI CURIAE* THE MARCH OF
DIMS FOUNDATION, THE AMERICAN ASSOCIATION OF PEOPLE WITH
DISABILITIES, THE ARC OF THE UNITED STATES, BREAST CANCER ACTION,
FAMILIES USA, THE FAMILY VIOLENCE PREVENTION FUND, FRIENDS OF
CANCER RESEARCH, MENTAL HEALTH AMERICA, NATIONAL BREAST
CANCER COALITION, THE NATIONAL ORGANIZATION FOR RARE DISORDERS,
THE NATIONAL PARTNERSHIP FOR WOMEN & FAMILIES, NATIONAL PATIENT
ADVOCATE FOUNDATION, THE NATIONAL SENIOR CITIZENS LAW CENTER,
THE NATIONAL WOMEN'S LAW CENTER, THE OVARIAN CANCER NATIONAL
ALLIANCE, RAISING WOMEN'S VOICES FOR THE HEALTH CARE WE NEED,
AND UNITED CEREBRAL PALSY IN SUPPORT OF MOTION TO DISMISS**

THIS MATTER is before the Court on a Motion for Leave to File Brief of *Amici Curiae* by the March of Dimes Foundation, *et al.*, in Support of Defendant's Motion to Dismiss (Dkt. No. 45), filed June 17, 2010. The Motion is submitted pursuant to the Order of the Honorable Henry E. Hudson on June 3, 2010 regarding hearing dates for oral arguments, which specified that all *amicus* filings are due fourteen days before the hearing date which the specific brief addresses, and which scheduled the hearing for Defendant's Motion to Dismiss for July 1, 2010 at 10:0 a.m. Upon due consideration, the Motion is GRANTED.

Movants are DIRECTED to file their Brief of *Amici Curiae* in Support of Defendant's Motion to Dismiss.

The Clerk is directed to send a copy of this Order to all counsel of record.

It is SO ORDERED.

 _____ /s/
Henry E. Hudson
United States District Judge

Date: Jun - 17, 2010
Richmond, VA