

**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. )

Civil Action No. 3:10CV188-HEH

KATHLEEN SEBELIUS, )  
SECRETARY OF THE DEPARTMENT )  
OF HEALTH AND HUMAN SERVICES, )  
in her official capacity, )

Defendant. )


**ORDER**

THIS MATTER is before the Court on an Optional Motion for Leave to File Amicus Brief (Dk. No. 92), submitted by W. Spencer Connerat, III. Upon due consideration, this Motion is GRANTED.

Movant included his Brief as *Amicus Curiae* with the Motion that he filed with the Court. The Clerk is therefore directed to file Movant's Optional Motion for Leave to File Amicus Brief (Dk. No. 92) as Movant's Brief as *Amicus Curiae* Supporting Plaintiff.

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: Sept 21, 2010  
Richmond, VA