

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO

Civil Action No. 1:13-cv-00285-WYD

STEPHEN W. BRISCOE;  
CONTINUUM HEALTH PARTNERSHIPS, INC;  
CONTINUUM HEALTH MANAGEMENT, LLC; and  
MOUNTAIN STATES HEALTH PROPERTISE, LLC,

Plaintiffs,

v.

KATHLEEN SEBELIUS, in her official capacity as  
Secretary of the United States Department of Health  
and Human Services; THOMAS PEREZ, in his official capacity  
as Secretary of the United States Department of Labor;  
JACOB LEW, in his official capacity as Secretary  
of the United States Department of the Treasury; UNITED  
STATES DEPARTMENT OF HEALTH AND HUMAN  
SERVICES; UNITED STATES DEPARTMENT OF LABOR;  
UNITED STATES DEPARTMENT OF THE TREASURY,

Defendants.

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**NOTICE OF APPEAL**

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PLEASE TAKE NOTICE that Defendants, Kathleen Sebelius, in her official capacity as Secretary of Health and Human Services; the United States Department of Health and Human Services; Thomas Perez, in his official capacity as Secretary of Labor; the United States Department of Labor; Jacob Lew, in his official capacity as Secretary of the Treasury; and the United States Department of the Treasury, hereby appeal to the United States Court of Appeals for the Tenth Circuit the Order granting Plaintiffs' Motion for a Preliminary Injunction (Dkt. No. 49), entered September 6, 2013.

Respectfully submitted this 5th day of November, 2013,

STUART F. DELERY  
Assistant Attorney General

JOHN F. WALSH  
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JENNIFER RICKETTS  
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/s/ Bradley P. Humphreys  
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Counsel for Defendants

**CERTIFICATE OF SERVICE (CM/ECF)**

I hereby certify that on November 5, 2013, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system which will send notification of such filing to the following e-mail addresses:

mbowman@alliancedefendingfreedom.org  
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and I hereby certify that I have mailed or served the document or paper to the following non-CM/ECF participants in the manner (mail, hand-delivery, etc.) indicated by nonparticipant's name:

None.

s/ Bradley P. Humphreys  
BRADLEY P. HUMPHREYS