

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA**

<hr/>		)	
DR. JAMES L. SHERLEY, et al.,		)	
	Plaintiffs,	)	
		)	
		)	
		)	
		)	Civil Action
v.		)	No. 1:09-cv-1575-RCL
		)	
		)	
KATHLEEN SEBELIUS, et al.,		)	
	Defendants.	)	
		)	
		)	
		)	
		)	
<hr/>		)	

**NOTICE OF APPEAL**

Notice is hereby given that Plaintiffs Dr. James L. Sherley and Dr. Theresa Deisher appeal to the United States Court of Appeals for the District of Columbia Circuit from the final Order and Judgment of this Court entered on July 27, 2011 [Dkt. #86], which entered judgment for Defendants, granted Defendants’ Motion for Summary Judgment, denied Plaintiffs’ Motion for Summary Judgment, and dismissed all claims; and all other orders and rulings adverse to Plaintiffs in this case.

Dated: September 19, 2011

Respectfully Submitted,

/s/ Thomas G. Hungar  
 Thomas G. Hungar, D.C. Bar No. 447783  
 Thomas M. Johnson, Jr., D.C. Bar No. 976185  
 Ryan J. Watson, D.C. Bar No. 986906  
 GIBSON, DUNN & CRUTCHER LLP  
 1050 Connecticut Avenue, N.W.  
 Washington, D.C. 20036  
 (202) 955-8500

Blaine H. Evanson, Cal. Bar No. 254338  
GIBSON, DUNN & CRUTCHER LLP  
333 South Grand Avenue  
Los Angeles, CA 90071  
(213) 229-7000

Samuel B. Casey, Cal. Bar No. 76022  
LAW OF LIFE PROJECT  
FRC Building, Suite 521  
801 G Street, N.W.  
Washington, D.C. 20001  
(202) 587-5652

Steven H. Aden, D.C. Bar No. 466777  
ALLIANCE DEFENSE FUND  
801 G Street N.W., Suite 509  
Washington, D.C. 20001  
(202) 393-8690

*Counsel for Plaintiffs*