

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK

---

STATE OF NEW YORK, *et al.* )  
 ) No. 1:19-cv-04676-PAE  
 ) (rel. 1:19-cv-05433-PAE; 1:19-cv-  
 ) 05435-PAE)  
 )  
 ) Plaintiffs, )  
 )

v. ) **NOTICE OF APPEAL**  
 )

UNITED STATES DEPARTMENT OF )  
HEALTH AND HUMAN SERVICES; )  
ALEX M. AZAR II, *in his official capacity as* )  
*Secretary of the United States Department of* )  
*Health and Human Services*; and UNITED )  
STATES OF AMERICA, )  
 )  
 ) Defendants. )  
 )  
 )

---

PLANNED PARENTHOOD FEDERATION )  
OF AMERICA, INC.; and PLANNED ) No. 1:19-cv-05433-PAE  
 ) (rel. 1:19-cv-0476-PAE; 1:19-cv-05435-  
 ) PAE)  
 )  
 ) Plaintiffs, )  
 )  
 )

v. )  
 )

ALEX M. AZAR II, *in his official capacity as* )  
Secretary, United States Department of )  
Health and Human Services; UNITED )  
STATES DEPARTMENT OF HEALTH )  
AND HUMAN SERVICES; ROGER )  
SEVERINO, *in his official capacity as* )  
Director, Office for Civil Rights, United )  
States Department of Health and Human )  
Services; and OFFICE FOR CIVIL RIGHTS, )  
United States Department of Health and )  
Human Services, )  
 )  
 ) Defendants. )  
 )  
 )

---

NATIONAL FAMILY PLANNING AND	)	No. 1:19-cv-05435-PAE
REPRODUCTIVE HEALTH	)	(rel. 1:19-cv-0476-PAE; 1:19-cv-05433-
ASSOCIATION; and PUBLIC HEALTH	)	PAE)
SOLUTIONS,	)	
	)	
Plaintiffs,	)	
	)	
v.	)	
	)	
ALEX M. AZAR II, in his official capacity as	)	
Secretary of the U.S. Department of Health	)	
and Human Services; U.S. DEPARTMENT	)	
OF HEALTH AND HUMAN SERVICES;	)	
ROGER SEVERINO, in his official capacity	)	
as Director of the Office for Civil Rights of	)	
the U.S. Department of Health and Human	)	
Services; OFFICE FOR CIVIL RIGHTS of	)	
the U.S. Department of Health and Human	)	
Services,	)	
	)	
Defendants.	)	
	)	

---

**NOTICE OF APPEAL**

Defendants in the above-captioned cases hereby give notice that they appeal to the United States Court of Appeals for the Second Circuit from all aspects of this Court’s orders, memorandum opinion, and final appealable judgments entered on November 6, 2019—ECF Nos. 248, 249, and 250 in case No. 19-cv-04676; ECF Nos. 116, 117, and 118 in case No. 19-cv-05433; and ECF Nos. 122, 123, and 124 in case No. 19-cv-05435—and all prior orders and decisions that merge into these orders.

Dated: January 3, 2020

Respectfully submitted,

JOSEPH H. HUNT  
Assistant Attorney General

JAMES M. BURNHAM  
Deputy Assistant Attorney General

CHRISTOPHER A. BATES  
Senior Counsel to the Assistant Attorney General

MICHELLE R. BENNETT  
Assistant Branch Director

/s/ Bradley P. Humphreys  
Trial Attorney, U.S. Department of Justice  
Civil Division, Federal Programs Branch  
1100 L Street, N.W.  
Washington, D.C. 20005  
Phone: (202) 305-0878  
E-mail: Bradley.Humphreys@usdoj.gov

*Counsel for Defendants*