

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF OKLAHOMA**

**STATE OF OKLAHOMA, ex rel. Scott Pruitt, in his  
official capacity as Attorney General of Oklahoma,  
  
Plaintiff,**

v.

**SYLVIA MATHEWS BURWELL, in her official  
capacity as Secretary of Health and Human Services;  
and JACOB J. LEW, in his official capacity as  
Secretary of the Treasury,  
  
Defendants.**

**No. 6:11-cv-00030-RAW**

**NOTICE OF APPEAL**

PLEASE TAKE NOTICE that the defendants, Sylvia Mathews Burwell, in her official capacity as Secretary of Health and Human Services, and Jacob J. Lew, in his official capacity as Secretary of the Treasury, hereby appeal to the United States Court of Appeals for the Tenth Circuit from the Judgment (Doc. 119) that was entered in this action on September 30, 2014, and from all previous rulings in this action, including the Order (Doc. 118) that was entered in this action on September 30, 2014, granting summary judgment to the plaintiff and denying summary judgment to the defendants, and the Order (Doc. 71) that was entered in this action on August 12, 2013, partially denying the defendants' motion to dismiss the amended complaint.

DATED this 2<sup>nd</sup> day of October, 2014.

Respectfully submitted,

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s/ Joel McElvain

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**CERTIFICATE OF SERVICE**

I hereby certify that on October 2, 2014, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system. Based on the records currently on file, the Clerk of Court will transmit a Notice of Electronic Filing to the following ECF registrants:

E. Scott Pruitt  
Patrick R. Wyrick  
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313 NE 21st St.  
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s/ Joel McElvain  
JOEL McELVAIN