

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

RONNIE MAURICE STEWART, <i>et al.</i> ,)	
)	
Plaintiffs,)	
)	
v.)	No. 1:18-cv-152 (JEB)
)	
)	
ALEX M. AZAR II, Secretary, United)	
States Department of Health & Human)	
Services, in his official capacity, <i>et al.</i> ,)	
)	
Defendants,)	
)	
AND)	
)	
COMMONWEALTH OF KENTUCKY,)	
)	
Intervening Defendant.)	

NOTICE OF APPEAL

Notice is given that the Commonwealth of Kentucky,¹ Intervening Defendant in this action, appeals to the United States Court of Appeals for the District of Columbia Circuit from the Court’s Memorandum Opinion and Order granting Plaintiffs’ Motion for Summary Judgment, denying Defendants’ Cross-Motions for Summary Judgment, vacating the Secretary’s approval of Kentucky HEALTH, and remanding to the agency, both entered on March 27, 2019 (R. Docs. 131, 132), and the Order entering judgment on Count VIII of Plaintiffs’ First Amended Complaint,

¹ The Commonwealth of Kentucky, by Governor Matthew G. Bevin, intervened into this action, but the Plaintiffs’ First Amended Complaint simply named the Commonwealth of Kentucky as an Intervening Defendant. To the extent this naming distinction matters, the Commonwealth of Kentucky and the Commonwealth of Kentucky, by Governor Matthew G. Bevin, should be treated as the parties taking an appeal.

entered on April 4, 2019 (R. Doc. 134), as well as all prior orders and decisions that merge into those.

Respectfully submitted,

/s/ Matthew F. Kuhn

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CERTIFICATE OF SERVICE

I certify that on April 11, 2019, I electronically filed the foregoing with the Clerk of Court by using the CM/ECF system, which will send an electronic notice to counsel of record.

/s/ Matthew F. Kuhn

Counsel for the Commonwealth of Kentucky