

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

MAYOR AND CITY COUNCIL OF  
BALTIMORE,

*Plaintiff,*

v.

ALEX M. AZAR II, in his official capacity as the  
Secretary of Health and Human Services; UNITED  
STATES DEPARTMENT OF HEALTH AND  
HUMAN SERVICES; DIANE FOLEY, M.D., in  
her official capacity as the Deputy Assistant  
Secretary, Office of Population Affairs; OFFICE  
OF POPULATION AFFAIRS,

*Defendants.*

Case No. 1:19-cv-01103-RDB

**NOTICE OF APPEAL**

PLEASE TAKE NOTICE that Defendants hereby appeal to the United States Court of Appeals for the Fourth Circuit from the portions of this Court's February 14, 2020 memorandum opinion, ECF No. 93, and order, ECF No. 94, entering judgment in favor of Plaintiff and permanently enjoining the challenged rule, titled *Compliance with Statutory Program Integrity Requirements*, 84 Fed. Reg. 7,714 (Mar. 4, 2019).

Dated: February 24, 2020

Respectfully submitted,

JOSEPH H. HUNT  
Assistant Attorney General

MICHELLE R. BENNETT  
Assistant Branch Director

/s/ Bradley P. Humphreys

BRADLEY P. HUMPHREYS

R. CHARLIE MERRITT

Trial Attorneys

U.S. Department of Justice

Civil Division, Federal Programs Branch

1100 L Street, N.W.

Washington, DC 20005

Tel.: (202) 305-0878

Fax: (804) 616-8460

Email: Bradley.Humphreys@usdoj.gov

*Counsel for Defendants*

**CERTIFICATE OF SERVICE**

I hereby certify that on February 24, 2020, I electronically filed the foregoing document using the CM/ECF system, which will send notification of such filing to the counsel of record in this matter who are registered on the CM/ECF system.

*/s/ Bradley P. Humphreys*  
BRADLEY P. HUMPHREYS