

No. 21-14098

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**In the United States Court of Appeals  
for the Eleventh Circuit**

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STATE OF FLORIDA,

*Plaintiff-Appellant.*

v.

DEPARTMENT OF HEALTH & HUMAN SERVICES,  
ET AL.,

*Defendants-Appellees.*

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ON APPEAL FROM THE  
UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF FLORIDA  
No. 3:21-cv-2722-MCR-HTC

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**UNOPPOSED MOTION FOR  
VOLUNTARY DISMISSAL**

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DAVID M. COSTELLO  
*Assistant Solicitor General*

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**CERTIFICATE OF INTERESTED PERSONS AND**  
**CORPORATE DISCLOSURE STATEMENT**

Plaintiff-Appellant certifies that, to the best of its knowledge, the following is a complete list of interested persons:

1. Becerra, Xavier, *Defendant-Appellee*
2. Bell, Daniel W., *Counsel for Plaintiff-Appellant*
3. Brooks-LaSure, Chiquita, *Defendant-Appellee*
4. Cannon, Hope T., *United States Magistrate Judge*
5. Christmas, Natalie, *Counsel for Plaintiff-Appellant*
6. Costello, David M., *Counsel for Plaintiff-Appellant*
7. Ezray, Evan, *Counsel for Plaintiff-Appellant*
8. Florida, State of, *Plaintiff-Appellant*
9. Guard, John, *Counsel for Plaintiff-Appellant*
10. Hilborn, Jason H., *Counsel for Plaintiff-Appellant*
11. Klein, Alisa, *Counsel for Defendants-Appellees*
12. McElvain, Joel L., *Counsel for Defendants-Appellees*
13. Moody, Ashley, *Attorney General of Florida*
14. Myron, Laura E., *Counsel for Defendants-Appellees*
15. Percival, James H., *Counsel for Plaintiff-Appellant*
16. Rodgers, Casey M., *United States District Judge*
17. U.S. Centers for Medicare & Medicaid Services, *Defendant-Appellee*

18. U.S. Department of Health & Human Services, *Defendant-Appellee*
19. United States of America, *Defendant-Appellee*
20. Whitaker, Henry C., *Counsel for Plaintiff-Appellant*

**UNOPPOSED MOTION FOR VOLUNTARY DISMISSAL**

The State of Florida moves to voluntarily dismiss this appeal under Federal Rule of Appellate Procedure 42(b) and Eleventh Circuit Rule 42-1(a) given the United States Supreme Court's decision in *Biden v. Missouri*, --- S. Ct. ---, Nos. 21A240 & 21A241, 2022 WL 120950 (U.S. Jan. 13, 2022), with each party bearing its own fees and costs. Appellees do not oppose.

Respectfully submitted,

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*Solicitor General*

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/s/ David M. Costello  
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**CERTIFICATE OF COMPLIANCE**

1. This document complies with the type-volume limits of Federal Rule of Appellate Procedure 27 because it contains 67 words.

2. This document complies with the typeface and type-style requirements of Federal Rules of Appellate Procedure 27 and 32(a)(5)–(6) because this document has been prepared in a proportionally spaced typeface using Microsoft Word in 14-point Garamond font.

/s/ David M. Costello  
Assistant Solicitor General

**CERTIFICATE OF SERVICE**

I certify that on January 21, 2022, I electronically filed this motion using the Court's CM/ECF system, which will send a notice of docketing activity to all parties who are registered through CM/ECF.

/s/ David M. Costello  
Assistant Solicitor General