

No. 21-12243

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**IN THE UNITED STATES COURT OF APPEALS  
FOR THE ELEVENTH CIRCUIT**

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STATE OF FLORIDA,  
*Plaintiff-Appellee,*

v.

XAVIER BECERRA, SECRETARY OF HEALTH AND HUMAN  
SERVICES, *et al.,*  
*Defendants-Appellants.*

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On Appeal from the United States District Court  
for the Middle District of Florida (Hon. Steven D. Merryday)

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**UNOPPOSED MOTION TO DISMISS APPEAL VOLUNTARILY  
PURSUANT TO RULE 42(b) OF THE FEDERAL RULES OF  
APPELLATE PROCEDURE**

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SARAH E. HARRINGTON  
*Deputy Assistant Attorney  
General*

ALISA B. KLEIN  
BRIAN J. SPRINGER  
*Attorneys, Appellate Staff  
Civil Division, Room 7235  
U.S. Department of Justice  
950 Pennsylvania Avenue NW  
Washington, D.C. 20530  
(202) 514-1597  
alisa.klein@usdoj.gov*

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

Pursuant to Eleventh Circuit Rule 26.1-1, counsel for defendants-appellants certify that the following have an interest in the outcome of this appeal:

Alaska, State of

Alloway, Jessica M.

American Society of Travel Advisors

Becerra, Xavier

Beckenhauer, Eric

Cooper, Jonathan, G.

Florida, State of

Fuchs, Kimberly

Harrington, Sarah E.

Harrison, Lael A.

Harvey, Jr., David S.

Hilborn, Jason H.

Holland, Liam

Holland & Knight LLP

Holtzman Vogel Baran Torchinsky & Josefiak PLLC

Kercher, Ryan G.

Klein, Alisa B.

Lewis Brisbois Bisgaard & Smith LLP

Lobasso, Peter N.

Merryday, Honorable Steven D., U.S. District Court Judge

NCL (Bahamas) Ltd.

Netter, Brian D.

Norwegian Cruise Line Holdings Ltd. (Stock Ticker: NCLH)

Oceania Cruises S. De R.L.

Office of the Attorney General of Alaska

Office of the Attorney General of Florida

Office of the Attorney General of Texas

O'Sullivan, John F.

Patel, Anita J.

Percival, II, James Hamilton

Porcelli, Honorable Anthony E., U.S. Magistrate Judge

Powell, Amy

Quinn Emanuel Urquhart & Sullivan LLP

Sansone, Honorable Amanda Arnold, U.S. Magistrate Judge

Schouest, Bamdas, Soshea & BenMaier PLLC

Seven Seas Cruises S. De R.L.

Shaffer, Derek L.

Springer, Brian J.

Stockel, Eric J.

Texas, State of

U.S. Centers for Disease Control and Prevention

U.S. Department of Health and Human Services

United States of America

Varner, III, Joseph H.

Vieira, Olga

Walensky, Rochelle

Wenger, Edward

Whitaker, Henry C.

Young, Marc S.

Pursuant to Rule 42(b) of the Federal Rules of Appellate Procedure, the federal government respectfully moves to dismiss this appeal voluntarily, with all parties to bear their own costs. Plaintiff's counsel has authorized us to state that this motion is unopposed.

Respectfully submitted,

SARAH E. HARRINGTON

*Deputy Assistant Attorney General*<sup>1</sup>

*/s/ Alisa B. Klein*

ALISA B. KLEIN

BRIAN J. SPRINGER

*Attorneys, Appellate Staff*

*Civil Division, Room 7235*

*U.S. Department of Justice*

*950 Pennsylvania Avenue NW*

*Washington, D.C. 20530*

*(202) 514-1597*

*alisa.klein@usdoj.gov*

JANUARY 2022

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<sup>1</sup> The Acting Assistant Attorney General is recused.

## CERTIFICATE OF COMPLIANCE

I hereby certify that the foregoing motion complies with the word limit of Federal Rule of Appellate Procedure 27(d)(2)(A) because it contains 43 words. The motion complies with the typeface and type-style requirements of Federal Rules of Appellate Procedure 27(d)(1)(E) and 32(a)(5) and (6) because it has been prepared using Microsoft Word 2016 in proportionally spaced 14-point Century Expd BT typeface.

*/s/ Alisa B. Klein*

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ALISA B. KLEIN

## CERTIFICATE OF SERVICE

I hereby certify that on January 17, 2022, I electronically filed the foregoing motion with the Clerk of the Court for the United States Court of Appeals for the Eleventh Circuit by using the appellate CM/ECF system. Participants in the case are registered CM/ECF users, and service will be accomplished by the appellate CM/ECF system.

*/s/ Alisa B. Klein*  
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ALISA B. KLEIN