

IN THE UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

ISRAEL RYDIE, and

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ELIZABETH FLEMING

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Plaintiffs,

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No. 21-2359

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v.

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JOSEPH R. BIDEN, in his official
capacity as President of the United States;

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XAVIER BECERRA, in his official
capacity as Sec’y of Health & Human Svcs;

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LLOYD J. AUSTIN III, in his official
capacity as Sec’y of Defense,

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Defendants.

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NOTICE

The Defendants-Appellees Motion to Publish Opinion filed on April 22, 2022 states twice, in the first paragraph and the final paragraph, that Plaintiffs-Appellants take no position on the motion to publish. Plaintiffs’ Counsel incorrectly represented Plaintiffs’ position here, and they in fact do oppose this motion. Rule 36(a) states that the Court will publish opinions in cases that have been presented at oral argument. Given that Counsel was unable to present at oral argument, which was subsequently canceled, this opinion does not meet this requirement in Rule 36(a).

Dated: April 23, 2022

Respectfully submitted,

BY: /s/ Jonathan B. Bolls

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Attorney for Appellants