

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

AMERICAN HOSPITAL ASS'N, ET AL.,

Plaintiffs-Appellees,

v.

XAVIER BECERRA, SECRETARY, U.S.
DEPARTMENT OF HEALTH AND HUMAN
SERVICES, ET AL.,

Defendants-Appellants.

Nos. 24-10775

**MOTION TO VOLUNTARILY DISMISS APPEAL UNDER FEDERAL
RULE OF APPELLATE PROCEDURE 42(b)**

Pursuant to Rule 42(b) of the Federal Rules of Appellate Procedure, the federal government hereby respectfully moves to voluntarily dismiss this appeal, with each side to bear their own costs. Counsel for plaintiffs have indicated they consent to this motion.

Respectfully submitted,

GERARD SINZDAK

/s/ Laura E. Myron

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AUGUST 2024

CERTIFICATE OF COMPLIANCE

I certify that this motion complies with the word limit of Federal Rule of Appellate Procedure 27(d)(2)(A) because, excluding the parts of the document exempted by Federal Rule of Appellate Procedure 32(f), it contains 85 words.

/s/ Laura E. Myron
LAURA E. MYRON

CERTIFICATE OF SERVICE

I hereby certify that on August 29, 2024, I electronically filed the foregoing with the Clerk of the Court by using the appellate CM/ECF system. I further certify that the participants in the case are registered CM/ECF users and that service will be accomplished by the appellate CM/ECF system.

/s/ Laura E. Myron
LAURA E. MYRON