

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

WHEATON COLLEGE, )  
 )  
                   *Plaintiff,* )  
 )  
                   v. )  
 )  
 KATHLEEN SEBELIUS, Secretary of The United )  
 States Department of Health and Human Services; )  
 UNITED STATES DEPARTMENT OF HEALTH )  
 AND HUMAN SERVICES; HILDA SOLIS, )  
 Secretary of the United States Department of Labor;) )  
 UNITED STATES DEPARTMENT OF LABOR; )  
 TIMOTHY GEITHNER, Secretary of the United )  
 States Department of the Treasury; and UNITED )  
 STATES DEPARTMENT OF THE TREASURY, )  
 )  
                   *Defendants.* )  
 \_\_\_\_\_ )

Case No. 1:12-cv-01169-ESH

**NOTICE OF APPEAL**

Notice is hereby given this 29th day of August, 2012, that Plaintiff Wheaton College hereby appeals to the United States Court of Appeals for the District of Columbia Circuit from the judgment of this Court entered on August 24, 2012 (Dkt. 21), in favor of the above-captioned Defendants against Plaintiff Wheaton College. The Court’s order granted Defendants’ motion to dismiss, dismissed this action without prejudice, and denied as moot Plaintiff’s motion for preliminary injunction.

August 29, 2012

Respectfully submitted,

                  *s/Mark L. Rienzi*  
 Eric N. Kniffin (DC Bar No. 999473)  
 S. Kyle Duncan (LA Bar No. 25038)  
 (admitted *pro hac vice*)  
 Mark L. Rienzi (DC Bar No. 494336)  
 Lori Halstead Windham (DC Bar No. 501838)

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**CERTIFICATE OF SERVICE**

I hereby certify that the foregoing document was electronically filed with the Court's ECF system on August 29, 2012, and was thereby electronically served on counsel for Defendants.

*s/ Mark L. Rienzi* \_\_\_\_\_

Mark L. Rienzi

*Counsel for Plaintiff*