

Proof of Service

We, Donald R. Laster Jr and Nicholas E. Purpura, for Case 11-2303, did serve the following

**MOTION TO RECALL AND VACATE ORDER DATED AUGUST 1, 2011
Judge Greenway Authoring Judge. (DW) AND SECOND REQUEST FOR
JUDICIAL INTERVENTION BY AN EN BANC COURT**

Second Letter to Chief Judge Theodore A. McKee

on Appellee/Respondent/Defendants

KATHLEEN SEBELIUS and the
UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES
Secretary of the United States Department of Health and Human Services

TIMOTHY F. GEITHNER and the
UNITED STATES DEPARTMENT OF THE TREASURY
Secretary of the United States Department of the Treasury;

HILDA L. SOLIS and the
UNITED STATES DEPARTMENT OF LABOR
Secretary of the United States Department of Labor

through their Department of Justice (DOJ) Attorneys

Mark B. Stern, Alisa B. Klein, and Dana Kaersvang
Appellate Staff Attorneys
Civil Division, Room 7235
Department of Justice
950 Pennsylvania, Ave., NW
Washington, D.C. 20530

and delivered to the United States Court of Appeals for the Third Circuit by United States Postal Service (USPS) Certified and/or Express mail. I declare under penalty of perjury under the State of New Jersey that the foregoing is true to the best of my knowledge.

03/August/2011

Donald R Laster Jr