

## 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



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Donald R Laster Jr