

UNITED STATES COURT OF APPEALS
FOR THE THIRD CIRCUIT

No. 11-2303

NICHOLAS E. PURPURA; DONALD R. LASTER, JR.,
Appellants

v.

KATHLEEN SEBELIUS, Individually and as Secretary of the United States Department of Health and Human Services; UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES; TIMOTHY F. GEITHNER, Individually and as Secretary of the United States Department of the Treasury; UNITED STATES DEPARTMENT OF TREASURY; HILDA A. SOLIS, Individually and as Secretary of the United States Department of Labor; UNITED STATES DEPARTMENT OF LABOR

On Appeal from the United States District Court
for the District of New Jersey
(D.C. Civil No. 10-4814)
District Judge: Honorable Freda L. Wolfson

Submitted Pursuant to Third Circuit LAR 34.1(a)
September 15, 2011

Before: SCIRICA, SMITH and VANASKIE, Circuit Judges

JUDGMENT

This cause came to be considered on the record from the United States District Court for the District of New Jersey and was submitted pursuant to Third Circuit LAR 34.1(a) on September 15, 2011. On consideration whereof, it is now hereby

ORDERED and ADJUDGED by this Court that the judgment of the District Court entered April 21, 2011, be and the same is hereby affirmed. Costs taxed against the appellants. All of the above in accordance with the opinion of this Court.

ATTEST:

/s/ Marcia M. Waldron,
Clerk

DATED: September 29, 2011

OFFICE OF THE CLERK

MARCIA M. WALDRON

CLERK



UNITED STATES COURT OF APPEALS

21400 UNITED STATES COURTHOUSE
601 MARKET STREET
PHILADELPHIA, PA 19106-1790

Website: www.ca3.uscourts.gov

TELEPHONE

215-597-2995

September 29, 2011

Dana Kaersvang, Esq.
United States Department of Justice
950 Pennsylvania Avenue, N.W.
Room 7209
Washington, DC 20530

Alisa B. Klein, Esq.
United States Department of Justice
Civil Division
950 Pennsylvania Avenue, N.W.
Washington, DC 20530

Donald R. Laster Jr.
25 Heidl Avenue
West Long Branch, NJ 07764

Nicholas Purpura
1802 Rue De La Port Drive
Wall, NJ 07719

Mark B. Stern, Esq.
United States Department of Justice
Civil Division
950 Pennsylvania Avenue, N.W.
Room 7531
Washington, DC 20530

RE: Nicholas Purpura, et al v. Kathleen Sebelius, et al
Case Number: 11-2303

District Case Number: 3-10-cv-04814

ENTRY OF JUDGMENT

Today, **September 29, 2011** the Court entered its judgment in the above-captioned matter pursuant to Fed. R. App. P. 36.

If you wish to seek review of the Court's decision, you may file a petition for rehearing. The procedures for filing a petition for rehearing are set forth in Fed. R. App. P. 35 and 40, 3rd Cir. LAR 35 and 40, and summarized below.

Time for Filing:

14 days after entry of judgment.

45 days after entry of judgment in a civil case if the United States is a party.

Page Limits:

15 pages

Attachments:

A copy of the panel's opinion and judgment only. No other attachments are permitted without first obtaining leave from the Court.

Unless the petition specifies that the petition seeks only panel rehearing, the petition will be construed as requesting both panel and en banc rehearing. If separate petitions for panel rehearing and rehearing en banc are submitted, they will be treated as a single document and will be subject to a combined 15 page limit. If only panel rehearing is sought, the Court's rules do not provide for the subsequent filing of a petition for rehearing en banc in the event that the petition seeking only panel rehearing is denied.

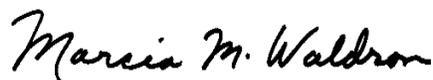
A party who is entitled to costs pursuant to Fed.R.App.P. 39 must file an itemized and verified bill of costs within 14 days from the entry of judgment. The bill of costs must be submitted on the proper form which is available on the court's website.

A mandate will be issued at the appropriate time in accordance with the Fed.R.App.P. 41.

Review of this Court's final decision may be pursued in the Supreme Court of the United States.

Please consult the Rules of the Supreme Court of the United States regarding the timing and requirements for filing a petition for writ of certiorari.

Very truly yours,



Marcia M. Waldron, Clerk

By: Desiree/jk
Case Manager
267-299-4252