

UNITED STATES COURT OF APPEALS  
THURGOOD MARSHALL UNITED STATES COURTHOUSE  
40 FOLEY SQUARE  
NEW YORK, NY 10007

CATHERINE O'HAGAN WOLFE  
CLERK OF COURT

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October 23, 2019

Hon. Noel Francisco  
Solicitor General of the United States  
United States Department of Justice  
950 Pennsylvania Ave N.W.  
Washington, D.C. 20530

Re: *Lisnitzer v. Zucker*, No. 19-470-cv

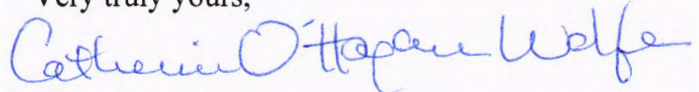
Dear Mr. Francisco:

The above-referenced case is set for argument on December 19, 2019 before a panel of this Court. The panel respectfully seeks the benefit of the U.S. Department of Health and Human Services views regarding certain of the issues presented.

Enclosed is a copy of the letter sent to Robert P. Charrow, General Counsel of the U.S. Department of Health and Human Services, specifying the issues. We request that a letter or amicus brief, not to exceed twenty double-spaced pages, be submitted to the Clerk of Court by December 5, 2019. The Clerk's office will send by email a copy of the briefs and appendix.

If you have any questions, please contact me.

Very truly yours,



Catherine O'Hagan Wolfe

cc: Robert P. Charrow,  
General Counsel for the U.S. Department of Health and Human Services  
Blair Greenwald,  
Assistant Solicitor General of the State of New York  
Peter Vollmer, Esq.