

Alexandria Division

Notice is hereby given that Plaintiff Blue Flame Medical LLC ("Blue Flame") appeals to the United States Court of Appeals for the Fourth Circuit from the Final Judgment entered in the above-captioned case on September 23, 2021 (ECF No. 177) and all decisions and orders subsidiary thereto and subsumed therein, including, but not limited to, the District Court's September 23, 2021 Memorandum Opinion (ECF No. 175) and Order (ECF No. 176) granting Defendants' Motion for Summary Judgment, denying Blue Flame's Motion for Partial Summary Judgment, and denying Blue Flame's Motion for Leave to File Supplemental Authorities, the District Court's September 8, 2020 Order dismissing Counts III, VI, VII, VIII, and X of Blue

Flame's Complaint (ECF No. 31); and all other orders and decisions adverse to Blue Flame made by the District Court in this case.

Dated: October 21, 2021

Respectfully submitted,

/s/ Peter H. White

Peter H. White (VA Bar No. 32310)
SCHULTE ROTH & ZABEL LLP
901 Fifteenth Street, NW, Suite 800
Washington, DC 20005
Tel.: (202) 729-7476
Fax: (202) 730-4520
pete.white@srz.com

Counsel for Plaintiff Blue Flame Medical LLC

CERTIFICATE OF SERVICE

I hereby certify that on this 21st day of October, 2021, I caused the foregoing document to be filed and served electronically using the Court's CM/ECF system, which automatically sent a notice of electronic filing to all counsel of record.

Dated: October 21, 2021

/s/ Peter H. White
Peter H. White, Esq. (VSB# 32310)
SCHULTE ROTH & ZABEL LLP
901 Fifteenth Street, NW, Suite 800
Washington, DC 20005
Tel: 202-729-7476
Fax: 202-730-4520
peter.white@srz.com

Counsel for Blue Flame Medical LLC