

Atlanta court hears oral arguments in health care lawsuit

By Amanda Carey

Oral arguments were heard Wednesday in the lawsuit brought by Florida and 25 other states challenging the constitutionality of the individual mandate in the health care law.

Now that both sides have laid out their arguments, all signs seem to point to an eventual ruling from the 11th U.S. Circuit Court of Appeals that strikes the provision down.

Ilya Shaprio, senior fellow at the Cato Institute, who was present for the arguments, told The Daily Caller he's optimistic the court will rule in favor of the states. "Based on their questioning, [they] are more likely to rule in our favor."

Florida Attorney General Pam Bondi released a statement also saying she was pleased with the oral arguments and "encouraged" with the judge's responses.

(Democratic leader wants to reclaim 'Obamacare,' make it a compliment)

"The federal government could not rebut our argument that the individual mandate is an unprecedented intrusion on individual liberty," said Bondi. "The federal government could also not articulate any principled limit on Congress's power. Simply put, the federal government failed to justify Congress's decision, for the first time in American history, to force citizens to purchase a product."

According to local news reports, questioning centered around whether it would be possible to throw out the individual mandate and leave the rest of the law intact, and if there has ever been a Commerce Clause case of this kind.

If not, the judges wanted to know if that was because this is a specialized case with a unique product (health insurance) or if Congress is genuinely trying to expand its power.