

**THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

COMMONWEALTH OF)	
PENNSYLVANIA,)	
)	
Plaintiff,)	
v.)	Civil Action No. 2:17-cv-04540 (WB)
)	
DONALD J. TRUMP, in his official)	
capacity as President of the United States;)	
ALEX M. AZAR II, in his official)	
capacity as Secretary of Health and)	
Human Services; UNITED STATES)	
DEPARTMENT OF HEALTH AND)	
HUMAN SERVICES; STEVEN T.)	
MNUCHIN, in his official capacity as)	
Secretary of the Treasury; UNITED)	
STATES DEPARTMENT OF THE)	
TREASURY; RENE ALEXANDER)	
ACOSTA, in his official capacity as)	
Secretary of Labor; and UNITED STATES)	
DEPARTMENT OF LABOR,)	
)	
Defendants. ¹)	

NOTICE OF APPEAL

PLEASE TAKE NOTICE that the Defendants hereby appeal to the United States Court of Appeals for the Third Circuit from the Court’s preliminary injunction opinion [ECF No. 59] and order [ECF No. 60], which were both issued on December 15, 2017.

Dated: February 6, 2018

Respectfully Submitted,

CHAD A. READLER
Acting Assistant Attorney General

ETHAN P. DAVIS
Deputy Assistant Attorney General

JENNIFER D. RICKETTS
Director, Federal Programs Branch

¹ Pursuant to Fed. R. Civ. P. 25(d), Alex M. Azar II is substituted as a defendant in his official capacity for Eric D. Hargan.

JOEL McELVAIN
Assistant Director, Federal Programs Branch

/s/ Justin M. Sandberg
JUSTIN M. SANDBERG (IL Bar# 6278377)
Senior Trial Counsel
U.S. Dep't of Justice, Civil Division
Federal Programs Branch
20 Massachusetts Avenue, N.W.
Room 7302
Washington, D.C. 20530
(202) 514-5838
Justin.Sandberg@usdoj.gov
Counsel for Defendants

CERTIFICATE OF SERVICE

I hereby certify that, on February 6, 2018, a copy of the forgoing document was electronically filed with the Clerk of the Court using the CM/ECF system which will send notification of such filing to all counsel of record.

DATED this 6th day of February, 2018.

s/ Justin M. Sandberg
JUSTIN M. SANDBERG
Senior Trial Counsel
Unite States Department of Justice