

1 CHAD A. READLER  
 Acting Assistant Attorney General  
 2 ALEX G. TSE  
 Acting United States Attorney  
 3 ETHAN P. DAVIS  
 Deputy Assistant Attorney General  
 4 JOEL McELVAIN  
 Assistant Branch Director  
 5 JUSTIN M. SANDBERG, IL. BAR NO. 6278377  
 Senior Trial Counsel  
 6 United States Department of Justice  
 Civil Division, Federal Programs Branch  
 7 20 Mass. Ave. NW, Rm. 7302  
 Washington, D.C. 20001  
 8 Telephone: (202) 514-5838  
 Facsimile: (202) 616-8202  
 9 Email: Justin.Sandberg@usdoj.gov

10 *Attorney for Federal Defendants*

11  
 12 **IN THE UNITED STATES DISTRICT COURT**  
 13 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**  
 14 **OAKLAND DIVISION**  
 15

16 STATE OF CALIFORNIA, <i>et al.</i> , 17 Plaintiffs, 18 v. 19 ALEX M. AZAR II, <sup>1</sup> Secretary of 20 the U.S. Dep't of Health and Human Services, <i>et al.</i> , 21 Defendants. 22	) Case No.: 4:17-cv-5783-HSG ) ) <b>NOTICE OF APPEAL</b> ) ) <b>PRELIMINARY INJUNCTION</b> ) <b>APPEAL</b> ) ) )
---	--

23  
 24 PLEASE TAKE NOTICE that Alex M. Azar II, Secretary of the United States Department  
 25 of Health and Human Services, R. Alexander Acosta, Secretary of the United States Department of  
 26

27  
 28 <sup>1</sup> Secretary Azar replaces former Acting Secretary Eric Hargan as a defendant, in his official capacity, by operation of Federal Rule of Civil Procedure 25(d).

1 Labor, Steven Mnuchin, Secretary of the United States Department of Treasury, the U.S. Department  
2 of Health and Human Services, the United States Department of Labor, and the United States  
3 Department of the Treasury hereby appeal to the United States Court of Appeals for the Ninth Circuit  
4 from the Court's Order Granting Plaintiffs' Motion for a Preliminary Injunction [ECF No. 105],  
5 which was issued on December 21, 2017.  
6  
7

8 Dated: February 16, 2018

Respectfully submitted,

9 CHAD A. READLER  
Acting Assistant Attorney General

10 ALEX G. TSE  
Acting United States Attorney

11 ETHAN P. DAVIS  
Deputy Assistant Attorney General

12 JOEL McELVAIN  
Assistant Branch Director

13  
14  
15 /s/ Justin M. Sandberg  
16 JUSTIN M. SANDBERG, IL Bar No. 6278377  
Senior Trial Counsel  
United States Department of Justice  
17 Civil Division, Federal Programs Branch  
20 Mass. Ave. NW, Rm. 7302  
18 Washington, D.C. 20001  
Telephone: (202) 514-5838  
19 Facsimile: (202) 616-8202  
Email: Justin.Sandberg@usdoj.gov  
20 *Counsel for Federal Defendants*  
21  
22  
23  
24  
25  
26  
27  
28