

**IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
WICHITA FALLS DIVISION**

TEXAS	§	
KANSAS	§	
LOUISIANA	§	
INDIANA	§	
WISCONSIN	§	
NEBRASKA,	§	
	§	
<i>Plaintiffs,</i>	§	
	§	
v.	§	CIVIL ACTION NO. 7:15-CV-00151-O
	§	
UNITED STATES OF AMERICA,	§	
UNITED STATES DEPARTMENT	§	
OF HEALTH AND HUMAN	§	
SERVICES, ALEX AZAR,	§	
in his Official Capacity as	§	
SECRETARY OF HEALTH AND	§	
HUMAN SERVICES, UNITED	§	
STATES INTERNAL REVENUE	§	
SERVICE, and DAVID J. KAUTTER,	§	
in his Official Capacity as	§	
ACTING COMMISSIONER OF	§	
INTERNAL REVENUE,	§	
	§	
<i>Defendants.</i>	§	

PLAINTIFFS’ SECOND NOTICE OF APPEAL

Plaintiffs recognize and acknowledge that the Court has yet to enter a final judgment in this matter and retains full jurisdiction over the case. Thus, Plaintiffs acknowledge that any effect this notice may have may not ripen until a final judgment is entered. However, Plaintiffs file this notice of appeal to protect and preserve any and all rights to appellate review. Therefore,

PLEASE TAKE NOTICE that Plaintiffs hereby appeal to the United States Court of Appeals for the Fifth Circuit from this Court's August 21, 2018 Order (ECF No. 100), as well as all prior orders and decisions in this case, as well as orders and decisions yet to come.

Respectfully submitted this the 19th day of October, 2018,

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ATTORNEYS FOR PLAINTIFFS

CERTIFICATE OF SERVICE

I certify that on the 19th day of October, 2018, the foregoing was electronically filed with the Clerk of Court using the CM/ECF system, which will send notification of such filing to all counsel of record.

/s/ David J. Hacker
DAVID J. HACKER