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*Counsel for Defendants*

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON  
AT YAKIMA**

STATE OF WASHINGTON,

Plaintiff,

v.

ALEX M. AZAR II, in his official  
capacity as Secretary of the United  
States Department of Health and  
Human Services; and UNITED  
STATES DEPARTMENT OF  
HEALTH AND HUMAN SERVICES,

Defendants.

Nos. 1:19-cv-3040-SAB; 1:19-cv-  
3045-SAB

NOTICE OF APPEAL

PRELIMINARY INJUNCTION  
APPEAL

1 NATIONAL FAMILY PLANNING &  
2 REPRODUCTIVE HEALTH  
3 ASSOCIATION, FEMINIST  
4 WOMEN’S HEALTH CENTER,  
5 DEBORAH OYER, M.D., and  
6 TERESA GALL, F.N.P.,

7 Plaintiffs,

8 v.

9 ALEX M. AZAR II, in his official  
10 capacity as United States Secretary of  
11 Health and Human Services, UNITED  
12 STATES DEPARTMENT OF  
13 HEALTH AND HUMAN SERVICES,  
14 DIANE FOLEY, M.D., in her official  
15 capacity as Deputy Assistant Secretary  
16 for Population Affairs, and OFFICE  
17 OF POPULATION AFFAIRS,

18 Defendants.

19 PLEASE TAKE NOTICE that Defendants hereby appeal to the United  
20 States Court of Appeals for the Ninth Circuit from the Court’s April 25, 2019  
21 Order granting Plaintiffs’ motions for preliminary injunction in these consolidated  
22 cases. ECF No. 54.

Dated: May 3, 2019

Respectfully submitted,

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/s/ Bradley P. Humphreys  
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**DECLARATION OF SERVICE**

I hereby declare that on this day I caused the foregoing document to be electronically filed with the Clerk of the Court using the Court’s CM/ECF System which will send notification of such filing to the attorneys for all parties.

DATED this 3rd day of May, 2019, at Washington, D.C.

/s/ Bradley P. Humphreys  
BRADLEY P. HUMPHREYS  
D.C. Bar No. 988057