

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
FORT WORTH DIVISION**

<b>RICHARD W. DEOTTE <i>et al.</i>,</b>	)	
	)	
<b>Plaintiffs,</b>	)	<b>Case No. 4:18-CV-00825-Y</b>
	)	
<b>v.</b>	)	
	)	
<b>ALEX M. AZAR II, in his official capacity as Secretary of Health and Human Services <i>et al.</i>,</b>	)	
	)	
<b>Defendants.</b>	)	

**NOTICE OF APPEAL**

PLEASE TAKE NOTICE that Defendants Alex M. Azar II, in his official capacity as Secretary of Health and Human Services; Steven T. Mnuchin, in his official capacity as Secretary of the Treasury; Eugene Scalia, in his official capacity as Secretary of Labor;<sup>1</sup> and the United States of America hereby appeal to the United States Court of Appeals for the Fifth Circuit from the Court’s Final Judgment entered on July 29, 2019 [ECF No. 98], as well as all prior orders and decisions that merge into that Judgment, including the Orders entered on March 30, 2019 and June 5, 2019 [ECF Nos. 33, 76].

Dated: September 27, 2019

Respectfully submitted,

JOSEPH H. HUNT  
Assistant Attorney General

MICHELLE R. BENNETT  
Assistant Branch Director

/s/ Daniel Riess  
DANIEL RIESS (Texas Bar # 24037359)  
Trial Attorney  
U.S. Department of Justice

<sup>1</sup> Pursuant to Federal Rule of Civil Procedure 25(d)(1), Eugene Scalia is automatically substituted for his predecessor, Patrick Pizzella, Acting Secretary of Labor.

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**CERTIFICATE OF SERVICE**

On September 27, 2019, I electronically submitted the foregoing document with the clerk of court for the U.S. District Court, Northern District of Texas, using the electronic case filing system of the court. I hereby certify that I have served all parties electronically or by another manner authorized by Federal Rule of Civil Procedure 5(b)(2) or the local rules.

/s/ Daniel Riess