

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK**

STATE OF NEW YORK, *et al.*

*Plaintiffs,*

v.

U.S. DEPARTMENT OF HOMELAND  
SECURITY, *et al.*

*Defendants.*

**No. 19-cv-07777 (GBD)**

**NOTICE OF APPEAL**

Pursuant to F.R.A.P. 3(a), all Defendants hereby appeal, to the U.S. Court of Appeals for the Second Circuit, the Court's October 11, 2019 Order issuing a preliminary injunction against and stay of enforcement of the Department of Homeland Security's final rule, Inadmissibility on Public Charge Grounds, 84 Fed. Reg. 41292 (Aug. 14, 2019) (to be codified at 8 C.F.R. pt. 103, 212-14, 245, 248). *See* Order Granting Plaintiffs' Motion for a Preliminary Injunction, 19-cv-7777, ECF No. 109 (S.D.N.Y. Oct. 11, 2019); Memorandum Decision and Order, 19-cv-7777, ECF No. 110 (S.D.N.Y. Oct. 11, 2019).

Dated: October 30, 2019

GEOFFREY S. BERMAN  
United States Attorney

Respectfully submitted,

JOSEPH H. HUNT  
Assistant Attorney General

ALEXANDER K. HAAS  
Director, Federal Programs Branch

/s/ Joshua M. Kolsky

ERIC J. SOSKIN  
Senior Trial Counsel  
KERI L. BERMAN  
KUNTAL V. CHOLERA

JOSHUA M. KOLSKY, DC Bar No. 993430  
U.S. Dept. of Justice, Civil Division,  
Federal Programs Branch  
1100 L Street, N.W., Rm. 12002  
Washington, DC 20001  
Phone: (202) 305-7664  
Fax: (202) 616-8470  
Email: joshua.kolsky@usdoj.gov

*Counsel for Defendants*

**CERTIFICATE OF SERVICE**

I hereby certify that on October 30, 2019, I electronically filed a copy of the foregoing. Notice of this filing will be sent via email to all parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's CM/ECF System.

/s/ Joshua M. Kolsky  
JOSHUA M. KOLSKY