

**THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

COMMONWEALTH OF	)	
PENNSYLVANIA,	)	
	)	
Plaintiff,	)	
v.	)	Civil Action No. 2:17-cv-04540 (WB)
	)	
DONALD J. TRUMP, in his official	)	
capacity as President of the United States;	)	
ALEX M. AZAR II, in his official	)	
capacity as Secretary of Health and	)	
Human Services; UNITED STATES	)	
DEPARTMENT OF HEALTH AND	)	
HUMAN SERVICES; STEVEN T.	)	
MNUCHIN, in his official capacity as	)	
Secretary of the Treasury; UNITED	)	
STATES DEPARTMENT OF THE	)	
TREASURY; RENE ALEXANDER	)	
ACOSTA, in his official capacity as	)	
Secretary of Labor; and UNITED STATES	)	
DEPARTMENT OF LABOR,	)	
	)	
Defendants. <sup>1</sup>	)	

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**NOTICE OF APPEAL**

PLEASE TAKE NOTICE that the Defendants hereby appeal to the United States Court of Appeals for the Third Circuit from the Court’s preliminary injunction opinion [ECF No. 59] and order [ECF No. 60], which were both issued on December 15, 2017.

Dated: February 6, 2018

Respectfully Submitted,

CHAD A. READLER  
Acting Assistant Attorney General

ETHAN P. DAVIS  
Deputy Assistant Attorney General

JENNIFER D. RICKETTS  
Director, Federal Programs Branch

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<sup>1</sup> Pursuant to Fed. R. Civ. P. 25(d), Alex M. Azar II is substituted as a defendant in his official capacity for Eric D. Hargan.

JOEL McELVAIN  
Assistant Director, Federal Programs Branch

/s/ Justin M. Sandberg  
JUSTIN M. SANDBERG (IL Bar# 6278377)  
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*Counsel for Defendants*

**CERTIFICATE OF SERVICE**

I hereby certify that, on February 6, 2018, a copy of the forgoing document was electronically filed with the Clerk of the Court using the CM/ECF system which will send notification of such filing to all counsel of record.

DATED this 6th day of February, 2018.

s/ Justin M. Sandberg  
JUSTIN M. SANDBERG  
Senior Trial Counsel  
Unite States Department of Justice