

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF LOUISIANA
LAFAYETTE DIVISION**

THE STATE OF LOUISIANA, by and through its
Attorney General, LIZ MURRILL, and ROSALIE
MARKEZICH,

Plaintiffs,

v.

U.S. FOOD AND DRUG ADMINISTRATION,
et al.,

Defendants.

Civil Action No. 6:25-cv-01491

Judge: David C. Joseph

Mag. Judge: David J. Ayo

**INTERVENOR-DEFENDANT
GENBIOPRO, INC.'S NOTICE OF APPEAL**

Intervenor-Defendant GenBioPro, Inc. (“GenBioPro”) hereby appeals to the United States Court of Appeals for the Fifth Circuit from the portion of the Court’s April 7, 2026 Memorandum Ruling (ECF No. 258) that denies GenBioPro’s Motion to Dismiss (ECF No. 232). This appeal is based on the Court of Appeals’ pendent appellate jurisdiction because the “underpinnings” of GenBioPro’s Motion to Dismiss are “inextricably intertwined” with the Court’s denial of Plaintiffs’ motion for preliminary injunction in the same Memorandum Ruling, from which denial Plaintiffs appealed on April 8, 2026 (ECF No. 259) pursuant to 28 U.S.C. § 1292(a)(1). *Jiao v. Xu*, 28 F.4th 591, 596 (5th Cir. 2022).

Dated: May 1, 2026

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Respectfully submitted,

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