

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION**

CONSUMER DATA INDUSTRY ASSOCIATION,

Plaintiff,

v.

STATE OF TEXAS THROUGH KEN PAXTON, in
his official capacity as ATTORNEY GENERAL
OF THE STATE OF TEXAS,

Defendant.

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No. 1:19-CV-00876-RP

**DEFENDANT’S NOTICE OF INTERLOCUTORY APPEAL TO THE
UNITED STATES COURT OF APPEALS FOR THE FIFTH CIRCUIT**

Notice is hereby given that Defendant appeals to the United States Court of Appeals for the Fifth Circuit from the Order entered on September 28, 2021 (Dkt. 49) denying Defendant’s Motion to Dismiss Plaintiff’s Amended Complaint as to the waiver of Defendant’s sovereign immunity from suit “commenced or prosecuted against one of the United States by Citizens of another State, or by Citizens or Subjects of any Foreign State.” U.S. CONST. amend. XI.

Respectfully submitted,

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Attorney General of Texas

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First Assistant Attorney General

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ATTORNEYS FOR DEFENDANT

CERTIFICATE OF SERVICE

I certify that that on October 28, 2021 this document was filed electronically via the Court's CM/ECF system, causing electronic service upon all counsel of record.

/s/Caroline A. Merideth

Caroline A. Merideth

Assistant Attorney General