## IN THE UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF TEXAS WICHITA FALLS DIVISION

TEXAS KANSAS LOUISIANA INDIANA WISCONSIN NEBRASKA,  Plaintiffs,	~~~~~~~~~~~~~~~~~	
1 10111111]5,	8	
T.	8	CIVIL ACTION NO. 7:15-CV-00151-O
V.	8	CIVIL ACTION NO. 7.13-CV-00131-0
UNITED STATES OF AMERICA,	8	
UNITED STATES OF AMERICA, UNITED STATES DEPARTMENT	8	
OF HEALTH AND HUMAN	8	
SERVICES, ALEX AZAR,	8	
in his Official Capacity as	§ §	
SECRETARY OF HEALTH AND	8	
HUMAN SERVICES, UNITED	8	
STATES INTERNAL REVENUE	8	
SERVICE, and DAVID J. KAUTTER,	8	
in his Official Capacity as	8 8	
ACTING COMMISSIONER OF	8	
INTERNAL REVENUE,	8 8	
111111111111111111111111111111111111111	8 8	
Defendants.	<i>\$</i>	
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## PLAINTIFFS' NOTICE OF APPEAL

Plaintiffs recognize and acknowledge that the Court has yet to enter a final judgment in this matter and retains full jurisdiction over the case. Moreover, in accordance with the Court's order of May 15, 2018, Plaintiffs intend to comply with the Court's May 21, 2018 deadline regarding reconsideration. Thus, Plaintiffs acknowledge that any effect this notice may have may not ripen until a final judgment is entered. However, Plaintiffs file this notice of appeal to protect and

preserve any and all rights to appellate review in light of Defendants' premature notice of appeal (ECF No. 92). Therefore,

PLEASE TAKE NOTICE that Plaintiffs hereby appeal to the United States Court of Appeals for the Fifth Circuit from this Court's March 5, 2018 Memorandum Opinion and Order (ECF No. 88), as well as all prior orders and decisions in this case, as well as orders and decisions yet to come.

Respectfully submitted this the 17th day of May, 2018,

DEREK SCHMIDT

Attorney General of Kansas

JEFF LANDRY

Attorney General of Louisiana

CURTIS HILL

Attorney General of Indiana

BRAD SCHIMEL

Attorney General of Wisconsin

DOUG PETERSON

Attorney General of Nebraska

KEN PAXTON

Attorney General of Texas

JEFFREY C. MATEER

First Assistant Attorney General

BRANTLEY D. STARR

Deputy First Assistant Attorney General

JAMES E. DAVIS

Deputy Attorney General for Civil

Litigation

/s/ Austin R. Nimocks

AUSTIN R. NIMOCKS

Special Counsel for Civil Litigation

Texas Bar No. 24002695

austin.nimocks@oag.texas.gov

ATTORNEY GENERAL OF TEXAS

P.O. Box 12548, Mail Code 001

Austin, Texas 78711-2548

Tel: 512-936-1414

ATTORNEYS FOR PLAINTIFFS

## CERTIFICATE OF SERVICE

I certify that on the 17th day of May, 2018, the foregoing was electronically filed with the Clerk of Court using the CM/ECF system, which will send notification of such filing to all counsel of record.

/s/ Austin R. Nimocks AUSTIN R. NIMOCKS