

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION**

STATE OF NEVADA, *et al.*,

Plaintiffs,

v.

UNITED STATES DEPARTMENT OF LABOR,  
*et al.*,

Defendants.

No. 4:16-CV-731-ALM  
LEAD

PLANO CHAMBER OF COMMERCE, *et al.*,

Plaintiffs,

v.

R. ALEXANDER ACOSTA,<sup>1</sup> in his official  
capacity as Secretary of Labor, *et al.*,

Defendants.

No. 4:16-CV-732-ALM

**NOTICE OF APPEAL**

PLEASE TAKE NOTICE that Defendants in these consolidated actions, R. Alexander Acosta, in his official capacity as Secretary of the Department of Labor; Bryan Jarrett, in his official capacity as Acting Administrator of the Wage & Hour Division, United States Department of Labor; Mary Ziegler, in her official capacity as Assistant Administrator for Policy, Wage & Hour Division, United States Department of Labor; the Wage & Hour Division of the United States Department of Labor; and the United States Department of Labor, hereby appeal to the United

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<sup>1</sup> Pursuant to Fed. R. Civ. P. 25(d), Secretary R. Alexander Acosta and Acting Administrator Bryan Jarrett are substituted in their official capacities as Defendants in these consolidated actions.

States Court of Appeals for the Fifth Circuit from the Court's August 31, 2017 Memorandum Opinion and Order, ECF No. 99 in Lead Case 4:16-CV-731 & ECF No. 13 in Case 4:16-CV-732, and Final Judgment, ECF No. 100 in Lead Case 4:16-CV-731 & ECF No. 14 in Case 4:16-CV-732.

Dated: October 30, 2017

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Respectfully Submitted,

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*/s/ Kevin Snell*

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**CERTIFICATE OF SERVICE**

I hereby certify that on October 30, 2017, I filed the foregoing electronically with the Clerk of the United States District Court for the Eastern District of Texas through the CM/ECF system, which caused all counsel of record to be served by electronic means.

*/s/ Kevin Snell*

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KEVIN SNELL