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,[1] 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

[1] 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

Respectfully Submitted,

NICHOLAS C. GEALE
Acting Solicitor of Labor

JENNIFER S. BRAND
Associate Solicitor

PAUL L. FRIEDEN
Counsel for Appellate Litigation

STEVEN W. GARDINER
Senior Attorney

ERIN M. MOHAN
Attorney
U.S. Department of Labor

CHAD A. READLER
Acting Assistant Attorney General

BRIT FEATHERSTON
Acting United States Attorney

JUDRY SUBAR
Assistant Branch Director

/s/ *Kevin Snell*

KEVIN SNELL
Trial Attorney
U.S. Department of Justice
Civil Division, Federal Programs Branch
20 Massachusetts Ave. NW
Washington, DC 20001
phone: (202) 305-0924
fax: (202) 616-8460
email: Kevin.Snell@usdoj.gov

Counsel for Defendants

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*
KEVIN SNELL