

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

**NOTICE OF APPEAL**

PLEASE TAKE NOTICE that Defendants, Thomas Perez, in his official capacity as Secretary of the Department of Labor; David Weil, in his official capacity as Administrator of the Wage & Hour Division, United States Department of Labor; Mary Zeigler, 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 States Court of Appeals for the Fifth Circuit from the Court's November 22, 2016 Memorandum Opinion and Order, ECF No. 60.

Dated: December 1, 2016

M. PATRICIA SMITH  
Solicitor of Labor

JENNIFER S. BRAND  
Associate Solicitor

PAUL L. FRIEDEN  
Counsel for Appellate Litigation

STEVEN W. GARDINER

Respectfully submitted,

BENJAMIN C. MIZER  
Principal Deputy Assistant Attorney General

BRIT FEATHERSTON  
Acting United States Attorney

JUDRY L. SUBAR  
Assistant Branch Director  
Federal Programs Branch

/s/ Julie S. Saltman

Senior Attorney

ERIN M. MOHAN  
Attorney  
U.S. Department of Labor  
200 Constitution Ave NW, N-2716  
Washington, DC 20210

JULIE S. SALTMAN  
KEVIN SNELL  
Trial Attorney  
United States Department of Justice  
Civil Division, Federal Programs Branch  
20 Massachusetts Avenue N.W., Room 7111  
Washington, D.C. 20530  
Tel: (202) 532-4252  
Fax: (202) 616-8470  
Email: Julie.saltman@usdoj.gov

*Counsel for Defendants*

**CERTIFICATE OF SERVICE**

I hereby certify that on December 1, 2016, 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 the all counsel of record to be served by electronic means.

/s/ Julie Saltman  
JULIE SALTMAN