

1 D. John Sauer, Mo. Bar No. 58721*
2 Justin D. Smith, Mo. Bar No. 63253*
3 James Otis Law Group, LLC
4 13321 North Outer Forty Road, Suite 300
5 St. Louis, Missouri 63017
6 Telephone: (314) 562-0031
7 John.Sauer@james-otis.com

8 *Attorneys for Intervenor-Defendants President Petersen and Speaker Toma*

9 **IN THE UNITED STATES DISTRICT COURT**
10 **FOR THE DISTRICT OF ARIZONA**
11 **TUCSON DIVISION**

12 Jane Doe, *et al.*,

13 Plaintiffs,

14 v.

15 Thomas C. Horne, in his official
16 capacity as State Superintendent of
17 Public Instruction, *et al.*,

18 Defendants.
19
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Case No. 4:23-cv-00185-JGZ

21 **NOTICE OF APPEAL**
22 **PRELIMINARY INJUNCTION APPEAL**

23 Pursuant to Federal Rule of Appellate Procedure 3(a), Defendant-Intervenors
24 President Warren Petersen and Speaker Ben Toma hereby appeal, to the U.S. Court of
25 Appeals for the Ninth Circuit, the Court's July 20, 2023 Order on Motion for Preliminary
26 Injunction and Findings of Fact and Conclusions of Law, ECF No. 127.
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1 Dated: July 21, 2023

Respectfully submitted,

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3 JAMES OTIS LAW GROUP, LLC

4 /s/ Justin D. Smith

5 D. John Sauer, Mo. Bar No. 58721*

6 Justin D. Smith, Mo. Bar No. 63253*

7 13321 North Outer Forty Road, Suite 300

8 St. Louis, Missouri 63017

(816) 678-2103

9 Justin.Smith@james-otis.com

* *pro hac vice*

10 *Attorneys for Defendants-Intervenors*

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CERTIFICATE OF SERVICE

I hereby certify that, on July 21, 2023, I caused a true and correct copy of the foregoing to be filed by the Court’s electronic filing system, to be served by operation of the Court’s electronic filing system on counsel for all parties who have entered in the case.

/s/ Justin D. Smith