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10 **UNITED STATES DISTRICT COURT**  
11 **DISTRICT OF NEVADA**

13 EDWARD C. HUGLER, Acting Secretary of )  
Labor, United States Department of Labor, )  
14 )  
Plaintiff, )  
15 )  
v. )  
16 )  
LOCAL 872, LABORERS INTERNATIONAL )  
17 UNION OF NORTH AMERICA, )  
18 )  
Defendant. )

Case No. 2:15-cv-01979-GMN-CWH

**NOTICE PURSUANT TO FEDERAL  
RULE OF CIVIL PROCEDURE 25(d),  
ERRATA AND ORDER**

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20 Pursuant to Federal Rule of Civil Procedure 25(d), “when a public officer who is a party  
21 in an official capacity ... ceases to hold office while the action is pending... [t]he officer’s  
22 successor is automatically substituted as a party.”

23 Accordingly, Acting Secretary of Labor Edward C. Hugler, successor to Thomas E.  
24 Perez, is automatically substituted as the Plaintiff in this action for all purposes.

25 Plaintiff also requests that the Court take notice of the following errata in its Motion for  
26 Summary Judgment (ECF #31): The appointment of Solicitor M. Patricia Smith, who is listed of  
27 counsel, expired on January 20, 2017. Her signature should have been omitted and replaced  
28 with the signature of Katherine E. Bissell, Deputy Solicitor for Regional Enforcement.

1 Plaintiff Acting Secretary of Labor Edward C. Hugler respectfully requests that the court  
2 direct the clerk's office to correct the caption to reflect the correct Plaintiff in this case.

3 Dated this 7th day of February 2017.

4 BENJAMIN C. MIZER  
Principal Deputy Assistant Attorney General

5 DANIEL G. BOGDEN  
6 United States Attorney

7 /s/ Troy K. Flake  
8 TROY K. FLAKE  
9 KRYSTAL J. ROSSE  
Assistant United States Attorneys

10  
11 *Of Counsel:*

12 KATHERINE E. BISSELL  
Deputy Solicitor for Regional Enforcement  
13 CHRISTOPHER B. WILKINSON  
Associate Solicitor  
14 CLINTON WOLCOTT  
Counsel for Legal Advice  
15 SHIREEN M. MCQUADE  
Attorney

16 *Attorneys for United States Department of Labor*  
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20 **ORDER**

21 **IT IS HEREBY ORDERED**, that the clerk's office will change the caption to reflect the  
22 correct Plaintiff in this case, Edward C. Hugler, Acting Secretary of Labor, United States  
Department of Labor, thus terminating Thomas E. Perez.

23  
24   
\_\_\_\_\_  
25 **UNITED STATES DISTRICT JUDGE**  
**UNITED STATES MAGISTRATE JUDGE**

26 **DATED:** May 19, 2017  
27  
28