

1 STEVEN W. MYHRE  
Acting United States Attorney  
2 District of Nevada

3 KRYSTAL J. ROSSE  
TROY K. FLAKE  
4 Assistant United States Attorneys  
501 Las Vegas Boulevard South, Suite 1100  
5 Las Vegas, Nevada 89101  
6 Telephone: 702-388-6336  
7 Email: *krystal.rosse@usdoj.gov*  
*troy.flake@usdoj.gov*

8 *Attorneys for the United States.*

9  
10  
11  
12 **UNITED STATES DISTRICT COURT**  
13 **DISTRICT OF NEVADA**

14  
15 R. ALEXANDER ACOSTA, Secretary of )  
Labor, United States Department of Labor, )

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

16 Plaintiff, )

17 v. )

**NOTICE PURSUANT TO FEDERAL  
RULE OF CIVIL PROCEDURE 25(d)**

18 LOCAL 872, LABORERS INTERNATIONAL )  
19 UNION OF NORTH AMERICA, )

20 Defendant. )  
21

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

25 Accordingly, Secretary R. Alexander Acosta who was sworn in on April 28, 2017,  
26 successor to Acting Secretary of Labor Edward C. Hugler, is automatically substituted as the  
27 Plaintiff in this action for all purposes.

1 Plaintiff Secretary R. Alexander Acosta respectfully requests that the court direct the  
2 clerk's office to correct the caption to reflect the correct Plaintiff in this case.

3 Dated this 7th day of June 2017.

4 STEVEN W. MYHRE  
5 Acting United States Attorney

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

10 **ORDER**

11 **IT IS HEREBY ORDERED**, that the clerk's office will change the caption to reflect the  
12 correct Plaintiff in this case, R. Alexander Acosta, Secretary of Labor, United States Department  
13 of Labor, thus terminating Edward C. Hugler.

14   
15 UNITED STATES DISTRICT JUDGE  
16 UNITED STATES MAGISTRATE JUDGE

17 **DATED:** June 8, 2017 \_\_\_\_\_

18  
19  
20  
21 **CERTIFICATE OF SERVICE**

22 I, Troy K. Flake, certify that the **NOTICE PURSUANT TO FEDERAL RULE OF**  
23 **CIVIL PROCEDURE 25(d)** was served this date on all parties via the Court's Electronic Case  
24 Filing system.

25 Dated this 7th day of June 2017.

26 /s/ Troy K. Flake  
27 TROY K. FLAKE  
28 Assistant United States Attorney