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The Honorable James L. Robart

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON**

STATE OF WASHINGTON and
STATE OF MINNESOTA,

Plaintiffs,

v.

DONALD TRUMP, in his official capacity as
President of the United States; U.S.
DEPARTMENT OF HOMELAND
SECURITY; JOHN F. KELLY, in his official
capacity as Secretary of the Department of
Homeland Security; REX W. TILLERSON, in
his official capacity as Secretary of State; and
the UNITED STATES OF AMERICA,

Defendants.

No. 2:17-cv-00141 (JLR)

NOTICE OF APPEAL

PLEASE TAKE NOTICE that the defendants Donald Trump, in his official capacity as President of the United States; United States Department of Homeland Security; John F. Kelly, in his official capacity as Secretary of the Department of Homeland Security; Rex W. Tillerson, in his official capacity as Secretary of State; and the United States of America hereby appeal to the United States Court of Appeals for the Ninth Circuit from the February 3, 2017 Order (ECF No. 52) enjoining and restraining enforcement of portions of the January 27, 2017 Executive Order on Protecting the Nation from Foreign Terrorist Entry into the United States.

1 DATED: February 4, 2017

Respectfully submitted,

2 CHAD A. READLER
3 Acting Assistant Attorney General

4 JOSEPH H. HUNT
5 Director, Federal Programs Branch

6 JOHN R. TYLER
7 Assistant Director, Federal Programs Branch

8 /s/ Michelle R. Bennett

MICHELLE R. BENNETT

9 ERIC SOSKIN

DANIEL SCHWEI

10 ARJUN GARG

Trial Attorneys

11 U.S. Department of Justice

Civil Division, Federal Programs Branch

12 20 Massachusetts Avenue, NW

13 Washington, DC 20530

Tel: (202) 305-8902

14 Fax: (202) 616-8470

Email: michelle.bennett@usdoj.gov

arjun.garg@usdoj.gov

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16 *Attorneys for Defendants*

CERTIFICATE OF SERVICE

I hereby certify that on February 4, 2017, I electronically filed the foregoing Notice of Appeal using the Court's CM/ECF system, causing a notice of filing to be served upon all counsel of record.

Dated: February 4, 2017

/s/ Michelle Bennett
MICHELLE BENNETT

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