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10 IN THE UNITED STATES DISTRICT COURT  
 11 FOR THE SOUTHERN DISTRICT OF CALIFORNIA

15 **VIRGINIA DUNCAN, et al.,**  
 16 Plaintiffs,  
 17 v.  
 18 **ROB BONTA, in his official capacity**  
 19 **as Attorney General of the State of**  
 20 **California,**  
 21 Defendant.

Case No. 3:17-cv-1017-BEN-JLB

**NOTICE OF APPEAL**

Courtroom: 5A  
 Judge: Hon. Roger T. Benitez  
 Action Filed: May 17, 2017

1           **PLEASE TAKE NOTICE** that Defendant-Appellant Rob Bonta, in his  
2 official capacity as Attorney General of the State of California, hereby appeals to  
3 the United States Court of Appeals for the Ninth Circuit from this Court’s Decision  
4 and permanent injunction, entered on September 22, 2023 (Dkt. 149).<sup>1</sup>

5 Dated: September 22, 2023

Respectfully submitted,

6           ROB BONTA  
7           Attorney General of California  
8           R. MATTHEW WISE  
9           Supervising Deputy Attorney General  
10          ROBERT L. MEYERHOFF  
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12          Deputy Attorneys General

*s/ John D. Echeverria*

13          JOHN D. ECHEVERRIA  
14          Deputy Attorney General  
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16          in his official capacity as Attorney  
17          General of the State of California

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27          <sup>1</sup> This is a new appeal taken following a remand from the United States  
28          Supreme Court and then the en banc court. *See* Ninth Circuit General Order 3.6;  
        *Duncan v. Bonta*, No. 21-1194 (June 30, 2022); *Duncan v. Bonta*, 49 F.4th 1228  
        (9th Cir. 2022) (en banc).

## CERTIFICATE OF SERVICE

Case Name: *Duncan, et al. v. Bonta* Case No. **3:17-cv-01017-BEN-JLB**

I hereby certify that on September 22, 2023, I electronically filed the following document with the Clerk of the Court by using the CM/ECF system:

### NOTICE OF APPEAL

I certify that **all** participants in the case are registered CM/ECF users and that service will be electronically accomplished by the CM/ECF system.

I declare under penalty of perjury under the laws of the State of California and the United States of America the foregoing is true and correct.

Executed on September 22, 2023, at San Francisco, California.

*s/ John D. Echeverria*

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JOHN D. ECHEVERRIA  
Deputy Attorney General