

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

US DOMINION, INC., et al.)	
)	
Plaintiffs,)	Case No. 1:21-cv-00445-CJN
)	Judge Carl J. Nichols
v.)	
)	
MY PILLOW, INC., et al.)	
)	
Defendants.)	

NOTICE OF APPEAL

Notice is hereby given that My Pillow, Inc. appeals to the United States Court of Appeals for the District of Columbia Circuit from the Order of this Court entered on August 11, 2021 (ECF #53), denying My Pillow, Inc.’s motion to dismiss the complaint. The Order is a collateral order that constitutes a “final decision” under 28 U.S.C. § 1291. *Cohen v. Beneficial Indus. Loan Corp.*, 337 U.S. 541, 546 (1949); *Mitchell v. Forsyth*, 472 U.S. 511, 524-530 (1985); *Meredith v. Federal Mine Safety and Health Review Commission*, 177 F.3d 1042, 1048-1052 (D.C. Cir. 1999). See *New York Times Co. v. Sullivan*, 376 U.S. 254, 279-283 (1964).

This Notice is withdrawn if this Court grants My Pillow, Inc.’s Motion for Modification of Memorandum Opinion and Order filed on August 24, 2021 (ECF #58) and the Court of Appeals for the District of Columbia Circuit permits a 28 U.S.C. § 1292(b) interlocutory appeal to be taken.

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