## UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF TEXAS AMARILLO DIVISION

Alliance for Hippocratic Medicine, et al.,

Plaintiffs,

v.

Case No. 2:22-cv-00223-Z

U.S. Food and Drug Administration, et al.,

Defendants.

## **Defendants' Notice of Appeal**

PLEASE TAKE NOTICE that Defendants hereby appeal to the United States Court of Appeals for the Fifth Circuit from this Court's Memorandum Opinion and Order, entered at ECF No. 137 and dated April 7, 2023.

April 7, 2023

OF COUNSEL:

SAMUEL R. BAGENSTOS General Counsel

MARK RAZA Associate General Counsel U.S. Department of Health and Human Services Chief Counsel Food and Drug Administration Respectfully submitted,

BRIAN M. BOYNTON Principal Deputy Assistant Attorney General

ERIC B. BECKENHAUER Assistant Director

<u>/s/ Daniel Schwei</u> DANIEL SCHWEI Special Counsel JULIE STRAUS HARRIS Senior Trial Counsel CHRISTOPHER A. EISWERTH EMILY NESTLER KATE TALMOR Trial Attorneys Federal Programs Branch Civil Division U.S. Department of Justice 1100 L St., NW

Washington, DC 20005 202-305-8693 daniel.s.schwei@usdoj.gov

ARUN G. RAO Deputy Assistant Attorney General

AMANDA N. LISKAMM Acting Director

HILARY K. PERKINS Assistant Director

NOAH T. KATZEN Trial Attorney Consumer Protection Branch