

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
NORTHEASTERN DIVISION**

| | | | |
|--|---|-----------------------------------|--|
| _____ | |) | |
| NATIONAL SMALL BUSINESS |) | | |
| UNITED d/b/a the NATIONAL SMALL |) | | |
| BUSINESS ASSOCIATION, <i>et al.</i> , |) | | |
| |) | | |
| Plaintiffs, |) | Civil Action No. 5:22-CV-1448-LCB | |
| |) | | |
| v. |) | | |
| |) | | |
| JANET YELLEN, in her official |) | | |
| capacity as Secretary of the Treasury, |) | | |
| <i>et al.</i> , |) | | |
| |) | | |
| Defendants. |) | | |
| _____ | |) | |

NOTICE OF APPEAL

On March 1, 2024, the Court found that Plaintiffs are entitled to summary judgment as a matter of law. *See* ECF No. 51 (Memorandum Opinion); ECF No. 52 (Final Judgment). Defendants hereby appeal the Court’s Final Judgment to the United States Court of Appeals for the Eleventh Circuit.

DATED: March 11, 2024

Respectfully submitted,

BRIAN M. BOYNTON
Principal Deputy Assistant Attorney General

DIANE KELLEHER
Assistant Branch Director

/s/ Stuart J. Robinson
STUART J. ROBINSON
Senior Counsel
TAYLOR N. PITZ
Trial Attorney
United States Department of Justice
Civil Division, Federal Programs Branch
450 Golden Gate Ave., Suite 7-5395
San Francisco, CA 94102
Tel: (415) 436-6635
Fax: (415) 436-6632
Email: stuart.j.robinson@usdoj.gov

Counsel for Defendants

CERTIFICATE OF SERVICE

I hereby certify that on March 11, 2024, I served the foregoing notice on all counsel of record by filing it with the Court by means of its ECF system.

/s/Stuart J. Robinson

Stuart J. Robinson