

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
WICHITA FALLS DIVISION**

FRANCISCAN ALLIANCE, INC., et al.

Plaintiffs,

v.

SYLVIA BURWELL, et al.

Defendants.

Civ. Action No. 7:16-cv-00108-O

PROTECTIVE NOTICE OF APPEAL

PLEASE TAKE NOTICE that Proposed Intervenors River City Gender Alliance and the ACLU of Texas hereby appeal to the United States Court of Appeals for the Fifth Circuit from this Court's December 31, 2016 Order, ECF No. 62, granting Plaintiffs' motions for preliminary injunction. Proposed Intervenors seek to protect their right to appeal in the event intervention is granted after the time to appeal the Order has run.

Respectfully submitted this 30th day of January, 2017.

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*Application for admission pending.

CERTIFICATE OF SERVICE

On January 30, 2017, I electronically submitted the foregoing **PROTECTIVE NOTICE OF APPEAL** to the clerk of the court for the U.S. District Court, Northern District of Texas, using the electronic case filing system of the Court. I hereby certify that I have served counsel of record for all parties through the Court's ECF system.

/s/Brian Hauss

Brian Hauss