

1 ROB BONTA  
Attorney General of California  
2 R. MATTHEW WISE  
Supervising Deputy Attorney General  
3 ROBERT L. MEYERHOFF  
KEVIN J. KELLY  
4 Deputy Attorneys General  
JOHN D. ECHEVERRIA  
5 Deputy Attorney General  
State Bar No. 268843  
6 455 Golden Gate Avenue, Suite 11000  
San Francisco, CA 94102-7004  
7 Telephone: (415) 510-3479  
Fax: (415) 703-1234  
8 Email: John.Echeverria@doj.ca.gov  
9 *Attorneys for Defendant Rob Bonta,  
in his official capacity as Attorney General  
of the State of California*

10 IN THE UNITED STATES DISTRICT COURT  
11 FOR THE SOUTHERN DISTRICT OF CALIFORNIA  
12  
13  
14

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  
ROBERT L. MEYERHOFF  
KEVIN J. KELLY  
Deputy Attorneys General

10  
11 *s/ John D. Echeverria*

12 JOHN D. ECHEVERRIA  
13 Deputy Attorney General  
14 *Attorneys for Defendant Rob Bonta,*  
15 *in his official capacity as Attorney*  
16 *General of the State of California*

17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
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*

JOHN D. ECHEVERRIA  
Deputy Attorney General