

Honorable Robert J. Bryan

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UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

BRIAN TINGLEY,

Plaintiff,

v.

ROBERT W. FERGUSON, in his official capacity as Attorney General for the State of Washington; UMAIR A. SHAH, in his official capacity as Secretary of Health for the State of Washington; and KRISTIN PETERSON, in her official capacity as Assistant Secretary of the Health Systems Quality Assurance Division of the Washington State Department of Health,

Defendants,

and

EQUAL RIGHTS WASHINGTON,

Intervenor Defendant.

Case No. 3:21-cv-05359-RJB

**NOTICE OF APPEAL**

NOTICE IS HEREBY GIVEN that Plaintiff Brian Tingley hereby appeals to the United States Court of Appeals for the Ninth Circuit from the Order Granting Defendants' Motion to Dismiss and Denying Plaintiff's Motion for a Preliminary Injunction (ECF No. 47) entered in this action on August 30, 2021.

1 Pursuant to Federal Rule of Appellate Procedure 12(b) and Circuit Rules 3-2(b)  
2 and 12-2, attached hereto is a Representation Statement naming all parties to the  
3 appeal and their respective counsel.

4  
5 Respectfully submitted this 28th day of September, 2021.

6 By: s/ Roger G. Brooks

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**CERTIFICATE OF SERVICE**

I hereby certify that on September 28, 2021, I electronically filed the foregoing document with the Clerk of Court using the CM/ECF system, which will send notification to all counsel of record.

DATED: September 28, 2021

s/ Roger G. Brooks  
Roger G. Brooks\*(NC Bar #16317)

*Attorney for Plaintiff*

## Plaintiff's Representation Statement

### Plaintiff:

Brian Tingley

### Counsel for Plaintiff:

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**Defendants:**

ROBERT W. FERGUSON, in his official capacity as Attorney General for the State of Washington

UMAIR A. SHAH, in his official capacity as Secretary of Health for the State of Washington

KRISTIN PETERSON, in her official capacity as Assistant Secretary of the Health Systems Quality Assurance Division of the Washington State Department of Health

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**Counsel for Intervenor Defendant:**

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