

1 James K. Rogers (Ariz. Bar No. 027287)

2 *Senior Counsel*

3 AMERICA FIRST LEGAL FOUNDATION

4 611 Pennsylvania Ave., SE #231

5 Washington, D.C. 20003

6 Phone: (202) 964-3721

7 James.Rogers@aflegal.org

8 *Attorneys for Proposed Defendant-Intervenors Anna Van Hoek, Lisa Fink,*
9 *Amber Zenczak, and Arizona Women of Action*

10 **UNITED STATES DISTRICT COURT**
11 **DISTRICT OF ARIZONA**
12 **TUCSON DIVISION**

13 Jane Doe, *et al.*,

14 Plaintiffs,

15 v.

16 Thomas C. Horne, in his official
17 capacity as State Superintendent of
18 Public Instruction, *et al.*

19 Defendants.

Case No. 4:23-cv-00185-JGZ

Notice of Appeal

Denial of Motion to Intervene

20 Pursuant to Federal Rule of Appellate Procedure 3(a), Proposed Intervenors Anna
21 Van Hoek, Lisa Fink, Amber Zenczak, and USA Women of Action (d/b/a “Arizona
22 Women of Action”) hereby appeal, to the U.S. Court of Appeals for the Ninth Circuit,
23 the Court’s October 23, 2023 Order, ECF No. 160, denying the proposed intervenors’
24 Motion to Intervene.
25
26
27
28

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Respectfully submitted this 24th of October, 2023.

America First Legal Foundation

By: /s/ James K. Rogers

James K. Rogers (Ariz. Bar No. 027287)
611 Pennsylvania Ave., SE #231
Washington, D.C. 20003
*Attorney for Proposed Defendant-Intervenors
Anna Van Hoek, Lisa Fink, Amber Zenczak, and
Arizona Women of Action*

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

CERTIFICATE OF SERVICE

I hereby certify that on this 24th day of October, 2023, I electronically filed the foregoing with the Clerk of the Court for the United States District Court for the District of Arizona using the CM/ECF filing system. Counsel for all parties who have appeared are registered CM/ECF users and will be served by the CM/ECF system pursuant to the notice of electronic filing.

/s/ James K. Rogers
Attorney for Proposed Defendant-Intervenors
Anna Van Hoek, Lisa Fink, Amber Zenczak, and
Arizona Women of Action

UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF

**Form 1. Notice of Appeal from a Judgment or Order of a
United States District Court**

U.S. District Court case number:

Notice is hereby given that the appellant(s) listed below hereby appeal(s) to the United States Court of Appeals for the Ninth Circuit.

Date case was first filed in U.S. District Court:

Date of judgment or order you are appealing:

Docket entry number of judgment or order you are appealing:

Fee paid for appeal? (*appeal fees are paid at the U.S. District Court*)

Yes No IFP was granted by U.S. District Court

List all Appellants (*List each party filing the appeal. Do not use "et al." or other abbreviations.*)

Anna Van Hoek
Lisa Fink
Amber Zenczak
USA Women of Action (d/b/a "Arizona Women of Action")

Is this a cross-appeal? Yes No

If yes, what is the first appeal case number?

Was there a previous appeal in this case? Yes No

If yes, what is the prior appeal case number?

Your mailing address (if pro se):

City: State: Zip Code:

Prisoner Inmate or A Number (if applicable):

Signature

Date

Complete and file with the attached representation statement in the U.S. District Court

Feedback or questions about this form? Email us at forms@ca9.uscourts.gov

**UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT**

Form 6. Representation Statement

Instructions for this form: <http://www.ca9.uscourts.gov/forms/form06instructions.pdf>

Appellant(s) *(List each party filing the appeal, do not use "et al." or other abbreviations.)*

Name(s) of party/parties:

Anna Van Hoek; Lisa Fink; Amber Zenczak; USA Women of Action (d/b/a "Arizona Women of Action")

Name(s) of counsel (if any):

James K. Rogers, America First Legal Foundation

Address: 611 Pennsylvania Ave., SE #231, Washington, DC 20003

Telephone number(s): 202-964-3721

Email(s): james.rogers@aflegal.org

Is counsel registered for Electronic Filing in the 9th Circuit? Yes No

Appellee(s) *(List only the names of parties and counsel who will oppose you on appeal. List separately represented parties separately.)*

Name(s) of party/parties:

Jane Doe, by her next friends and parents Helen Doe and James Doe; and Megan Roe, by her next friends and parents, Kate Roe and Robert Roe.

Name(s) of counsel (if any):

Colin Matthew Proksel, Osborn Maledon PA; Amy E Whelan, National Center for Lesbian Rights; Amy Zimmerman, Justin R Rassi, Jyotin Hamid, Debevoise & Plimpton LLP; Rachel Berg, National Center for Lesbian Rights

Address: 2929 N Central Ave., 21st Fl., Phoenix, AZ 85012

Telephone number(s): 602-640-9000

Email(s): cproksel@omlaw.com, awhelan@nclrights.org, azimmerman@debevoise

To list additional parties and/or counsel, use next page.

Feedback or questions about this form? Email us at forms@ca9.uscourts.gov

Continued list of parties and counsel: *(attach additional pages as necessary)*

Appellants

Name(s) of party/parties:

Name(s) of counsel (if any):

Address:

Telephone number(s):

Email(s):

Is counsel registered for Electronic Filing in the 9th Circuit? Yes No

Appellees

Name(s) of party/parties:

Name(s) of counsel (if any):

Address:

Telephone number(s):

Email(s):

Name(s) of party/parties:

Name(s) of counsel (if any):

Address:

Telephone number(s):

Email(s):

Feedback or questions about this form? Email us at forms@ca9.uscourts.gov