

1 Edward L. White III, *pro hac vice*  
2 AMERICAN CENTER FOR LAW & JUSTICE



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5 *Attorney for Defendant Troy Newman*

6 ***All Defense Counsel Are Listed***  
7 ***On The Signature Pages***

8  
9 **UNITED STATES DISTRICT COURT**  
10 **NORTHERN DISTRICT OF CALIFORNIA**

11 PLANNED PARENTHOOD FEDERATION OF  
12 AMERICA, INC., PLANNED PARENTHOOD:  
13 SHASTA-DIABLO, INC. d/b/a PLANNED  
14 PARENTHOOD NORTHERN CALIFORNIA;  
15 PLANNED PARENTHOOD MAR MONTE,  
16 INC.; PLANNED PARENTHOOD OF THE  
17 PACIFIC SOUTHWEST; PLANNED  
18 PARENTHOOD LOS ANGELES; PLANNED  
19 PARENTHOOD/ORANGE AND SAN  
20 BERNARDINO COUNTIES, INC.; PLANNED  
21 PARENTHOOD OF CALIFORNIA CENTRAL  
22 COAST f/k/a PLANNED PARENTHOOD OF  
23 SANTA BARBARA, VENTURA AND SAN  
24 LUIS OBISPO COUNTIES, INC; PLANNED  
25 PARENTHOOD PASADENA AND SAN  
26 GABRIEL VALLEY, INC.; PLANNED  
27 PARENTHOOD OF THE ROCKY  
28 MOUNTAINS; PLANNED PARENTHOOD  
GULF COAST, INC.; and PLANNED  
PARENTHOOD CENTER FOR CHOICE,

*Plaintiffs,*

vs.

THE CENTER FOR MEDICAL PROGRESS;  
BIOMAX PROCUREMENT SERVICES, LLC;  
DAVID DALEIDEN; TROY NEWMAN; ALBIN  
RHOMBERG; SANDRA SUSAN MERRITT;  
and GERARDO ADRIAN LOPEZ,

*Defendants.*

Case No. 3:16-CV-00236 (WHO)

Judge William H. Orrick, III

Case filed on January 14, 2016

**DEFENDANTS' JOINT NOTICE OF  
APPEAL REGARDING AWARD OF  
ATTORNEYS' FEES AND COSTS TO  
PLAINTIFFS**

1 All Defendants—The Center for Medical Progress, BioMax Procurement Services, LLC,  
2 David Daleiden, Troy Newman, Albin Rhomberg, Sandra Susan Merritt, and Gerardo Adrian  
3 Lopez—hereby jointly give notice that they are appealing to the United States Court of Appeals for  
4 the Ninth Circuit from  
5

6 (1) the Order on Motion for Attorney Fees and Costs entered in the above-referenced case on  
7 December 22, 2020, at docket entry 1150,

8 (2) the Bill of Costs entered in the above-referenced action on December 23, 2020, at docket  
9 entry 1151, and

10 (3) the Order Setting Amount of Attorney Fees and Costs entered in the above-referenced  
11 action on January 12, 2021, at docket entry 1154.  
12

13 A Representation Statement is attached to this Notice of Appeal. *See* Circuit Rule 3-2.

14 Respectfully submitted on January 21, 2021,

15 /s/ Charles S. LiMandri

16 Charles S. LiMandri

17 Paul M. Jonna

18 Jeffrey M. Trissell

19 FREEDOM OF CONSCIENCE DEFENSE FUND  
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*Attorneys for Defendants the Center for Medical Progress,  
BioMax Procurement Services, LLC, David Daleiden, and  
Gerardo Adrian Lopez*

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Thomas Brejcha, *pro hac vice*  
Peter Breen, *pro hac vice*  
Matthew F. Heffron, *pro hac vice*  
THOMAS MORE SOCIETY

[REDACTED]

*Attorneys for Defendant David Daleiden*

Harmeet K. Dhillon [REDACTED]  
Mark P. Meuser [REDACTED]  
DHILLON LAW GROUP INC.

[REDACTED]

*Attorneys for Defendants the Center for Medical Progress,  
BioMax Procurement Services, LLC, and David Daleiden*

/s/ Edward L. White III

Edward L. White III, *pro hac vice*  
Erik M. Zimmerman, *pro hac vice*  
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[REDACTED]

John A. Monaghan, *pro hac vice*  
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Christina Stierhoff, *pro hac vice*  
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[REDACTED]

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Vladimir F. Kozina; [REDACTED]  
MAYALL HURLEY, P.C.

[REDACTED]  
[REDACTED]

*Attorneys for Defendant Troy Newman*

/s/ Catherine W. Short

Catherine W. Short [REDACTED]  
LIFE LEGAL DEFENSE FOUNDATION

[REDACTED]  
[REDACTED]

Michael Millen [REDACTED]  
ATTORNEY AT LAW

[REDACTED]  
[REDACTED]

Corrine G. Konczal [REDACTED]  
LIFE LEGAL DEFENSE FOUNDATION

[REDACTED]  
[REDACTED]

*Attorneys for Defendant Albin Rhomberg*

/s/ Horatio G. Mihet

Horatio G. Mihet, *pro hac vice*  
Liberty Counsel

[REDACTED]  
[REDACTED]

Nicolaie Cocis [REDACTED]  
Law Office of Nic Cocis and Associates

[REDACTED]  
[REDACTED]

*Attorneys for Defendant Sandra Susan Merritt*

**ATTESTATION PURSUANT TO CIVIL L.R. 5.1(i)(3)**

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As the filer of this document, the undersigned attests that concurrence in the filing was obtained from the other signatories.

/s/ Edward L. White III  
Edward L. White III, *pro hac vice*  
AMERICAN CENTER FOR LAW & JUSTICE



*Attorney for Defendant Troy Newman*

**CERTIFICATE OF SERVICE**

On January 21, 2021, the undersigned certifies that he filed with the Northern District of California's CM/ECF system the foregoing Joint Notice of Appeal and the attached Representation Statement. The CM/ECF system will provide electronic notice of the filing to the attorneys of record who are ECF users.

/s/ Edward L. White III  
Edward L. White III, *pro hac vice*  
AMERICAN CENTER FOR LAW & JUSTICE



*Attorney for Defendant Troy Newman*