

1 Matthew T. Dushoff (NV Bar No. 4975)  
SALTZMAN MUGAN DUSHOFF  
2 1835 Village Center Circle  
3 Las Vegas, Nevada 89134  
4 Tel: (702) 405-8500  
5 Email: mdushoff@nvbusinesslaw.com

6 Justin M. Pearson\*  
7 INSTITUTE FOR JUSTICE  
8 2 S. Biscayne Boulevard, Suite 3180  
9 Miami, Florida 33131  
10 Tel: (305) 721-1600  
11 Email: jpearson@ij.org

12 Paul M. Sherman\*  
13 Elizabeth L. Sanz\*  
14 INSTITUTE FOR JUSTICE  
15 901 N. Glebe Road, Suite 900  
16 Arlington, Virginia 22203  
17 Tel: (703) 682-9320  
18 Email: psherman@ij.org  
19 bsanz@ij.org

20 \*Admitted *pro hac vice*  
21 *Counsel for Plaintiffs*

22 **IN THE UNITED STATES DISTRICT COURT**  
23 **DISTRICT OF NEVADA**  
24 **LAS VEGAS DIVISION**

25 MICHELLE PRZYBOCKI;  
26 KETAN VAKIL; and  
27 GOURMEND FOODS, LLC,

28 *Plaintiffs,*

vs.

UNITED STATES DEPARTMENT OF  
AGRICULTURE;  
THOMAS J. VILSACK, in his official  
capacity as Secretary of Agriculture;  
UNITED STATES DEPARTMENT OF  
AGRICULTURE FOOD SAFETY AND  
INSPECTION SERVICE;

Case No. 2:23-cv-00455-ART-DJA

**PLAINTIFFS' NOTICE OF  
APPEAL**

Judge: Hon. Anne R. Traum  
Complaint Filed: March 28, 2023  
Judgment Entered: October 30, 2024

1 SANDRA ESKIN, in her official  
2 capacity as United States Deputy  
3 Under Secretary for Food Safety;  
4 UNITED STATES FOOD AND DRUG  
5 ADMINISTRATION; and  
6 ROBERT CALIFF, in his official  
7 capacity as Commissioner of the  
8 United States Food and Drug  
9 Administration,

10 *Defendants.*

11 Notice is hereby given that Plaintiffs Michelle Przybocki, Ketan Vakil, and  
12 Gourmend Foods, LLC, hereby appeal to the United States Court of Appeals for the  
13 Ninth Circuit from the final Judgment of this court entered in this action on October  
14 30, 2024 (ECF No. 56), and the decision upon which the final Judgment is based,  
15 entered and filed on July 17, 2024, granting Defendants’ Motion to Dismiss (ECF  
16 No. 52).

17 RESPECTFULLY SUBMITTED on this 21st day of November 2024.

18 Matthew T. Dushoff (NV Bar No. 4975)  
19 SALTZMAN MUGAN DUSHOFF  
20 1835 Village Center Circle  
21 Las Vegas, Nevada 89134  
22 Tel: (702) 405-8500  
23 Email: mdushoff@nvbusinesslaw.com

24 /s/ Justin M. Pearson  
25 Justin M. Pearson (FL Bar No. 597791)\*  
26 INSTITUTE FOR JUSTICE  
27 2 S. Biscayne Boulevard, Suite 3180  
28 Miami, Florida 33131  
Tel: (305) 721-1600  
Email: jpearson@ij.org

Paul M. Sherman (VA Bar No. 73410)\*  
Elizabeth L. Sanz (CA Bar No. 340538)\*  
INSTITUTE FOR JUSTICE  
901 N. Glebe Road, Suite 900  
Arlington, Virginia 22203  
Tel: (703) 682-9320  
Email: psherman@ij.org  
bsanz@ij.org

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