

IN THE CHANCERY COURT OF HINDS COUNTY, MISSISSIPPI
FIRST JUDICIAL DISTRICT

PARENTS FOR PUBLIC SCHOOLS,

Plaintiff,

v.

MISSISSIPPI DEPARTMENT OF
FINANCE AND ADMINISTRATION, et
al.,

Defendants.

Civil Action No. 25CH1:22-cv-000705

FILED
NOV 07 2022

EDDIE JEAN CARR, CHANCERY CLERK
BY VMoton D.C.

NOTICE OF APPEAL

Midsouth Association of Independent Schools (“MAIS”) hereby appeals two orders entered by the Court in this matter.

First, MAIS appeals the Court’s Order of October 11, 2022, denying MAIS’s Motion to Intervene [Doc. #44].

Second, MAIS appeals this Court’s order granting a permanent injunction entered on October 13, 2022 [Doc. #45]. Although this Court has denied MAIS’s Motion to Intervene, MAIS files this notice to retain its interest in the merits should the denial of intervention be reversed. *See Ruiz v. Estelle*, 161 F.3d 814, 817 (5th Cir. 1998); *Evans v. Synposys, Inc.*, 34 F.4th 762, n.15 (9th Cir. 2022); *Mausolf v. Babbitt*, 125 F.3d 661 (8th Cir. 1997). *See also* 15A Charles Alan Wright, Arthur R. Miller & Edward H. Cooper, Federal Practice and Procedure § 3902.1 (2d ed. rev. 2022) (“If final judgment is entered with or after the denial of intervention, however, the applicant should be permitted to file a protective notice of appeal as to the judgment, to become effective if the denial of intervention is reversed.”).

This the 4th day of November, 2022.

Respectfully submitted,

/s/ Daniel Suhr

Daniel Suhr* (WI Bar #1056658)

Liberty Justice Center

400 N. Wells St., Ste. 200

Chicago, IL 60654

**Pro Hac Vice*

/s/ Benjamin B. Morgan

Benjamin B. Morgan - MS Bar No. 103663

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CERTIFICATE OF SERVICE

I, Benjamin B. Morgan, attorney for MAIS do hereby certify that I have filed via MEC which will send a copy of the above and foregoing document to all counsel of record.

I further certify that I have, this date, mailed by United States Mail, postage prepaid, and sent via email, a copy of the above and foregoing document to the following:

Honorable Crystal Wise Martin
Presiding Judge
P.O. Box 686
Jackson, MS 39205-0686
Email: dgilmore@co.hinds.ms.us

Ms. Debra Williams
Court Reporter
P.O. Box 686
Jackson, MS 39205
Email: dwilliams@co.hinds.ms.us

This the 4th day of **November, 2022.**

/s/ Benjamin B. Morgan
Benjamin B. Morgan