

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF FLORIDA
Tallahassee Division
Civil Action No.
4:24-cv-000316-MW-MAF**

UPSIDE FOODS, INC.,

Plaintiff,

v.

WILTON SIMPSON, in his official capacity as Commissioner of the Florida Department of Agriculture and Consumer Services; JACK CAMPBELL, in his official capacity as State Attorney for the Second Judicial Circuit; BRUCE L. BARTLETT, in his official capacity as State Attorney for the Sixth Judicial Circuit; ANDREW A. BAIN, in his official capacity as State Attorney for the Ninth Judicial Circuit; and KATHERINE FERNANDEZ RUNDLE, in her official capacity as State Attorney for the Eleventh Judicial Circuit,

Defendants.

NOTICE OF APPEAL

Plaintiff UPSIDE Foods, Inc. appeals to the United States Court of Appeals for the Eleventh Circuit, from the Order Denying Motion for Preliminary Injunction entered on October 11, 2024 [ECF 40].

Dated: November 5, 2024

Respectfully submitted,

INSTITUTE FOR JUSTICE

/s/ Paul M. Sherman

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Local Counsel for Plaintiff

CERTIFICATE OF SERVICE

I hereby certify that on November 5, 2024 the above captioned Notice of Appeal was filed with the clerk of the court via the ECF filing system, providing service on all attorneys of record.

/s/ Paul M. Sherman

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