

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Richmond Division**

<b>Paul Goldman,</b>	)	
	)	
<b>Plaintiff,</b>	)	
	)	
v.	)	<b>Civil Action No. 3:21-CV-420</b>
	)	
<b>Robert Brink, et al.,</b>	)	
	)	
<b>Defendants.</b>	)	

**NOTICE OF APPEAL**

Notice is hereby given that the remaining Defendants in the above-captioned matter, Chairman Robert H. Brink, Vice-Chairman John O’Bannon, and Secretary Jamilah D. LeCruise (the Chairman, Vice-Chairman, and Secretary of the Virginia State Board of Elections, respectively), and Commissioner of the Virginia State Department of Elections Christopher E. Piper, appeal to the United States Court of Appeals for the Fourth Circuit from the October 12, 2021 Memorandum Opinion (Dkt. No. 40) and Order of the District Court (Dkt. No. 41) denying the Eleventh Amendment immunity defense raised in Defendants’ Motion to Dismiss the Second Amended Complaint (Dkt. No. 23).<sup>1</sup>

This appeal is taken under 28 U.S.C. § 1291.

Dated: October 18, 2021

Respectfully submitted,

ROBERT H. BRINK  
JOHN O’BANNON  
JAMILAH D. LECRUISE  
CHRISTOPHER E. PIPER

---

<sup>1</sup> Defendants Governor Northam, the Virginia State Board of Elections, and Jessica Bowman were dismissed from the lawsuit and therefore do not join as Appellants in this appeal.

By: /s/ Jessica Merry Samuels  
Jessica Merry Samuels (VSB #89537)\*  
*Counsel to the Attorney General*

Mark R. Herring  
*Attorney General*

Calvin C. Brown (VSB #93192)\*  
*Assistant Attorney General*

Erin B. Ashwell (VSB #79538)  
*Chief Deputy Attorney General*

Carol L. Lewis (VSB #92362)\*  
*Assistant Attorney General*

Donald D. Anderson (VSB #22114)  
*Deputy Attorney General*

Brittany A. McGill (VSB #92401)\*  
*Assistant Attorney General*

Heather Hays Lockerman (VSB #65535)  
*Senior Assistant Attorney General*

Office of the Attorney General  
202 North Ninth Street  
Richmond, Virginia 23219  
(804) 786-6835 – Telephone  
(804) 371-0200 – Facsimile  
JSamuels@oag.state.va.us

*\*Attorneys for Robert H. Brink, John O'Bannon, Jamilah D. LeCruise, and Christopher E. Piper, in their official capacities.*

**CERTIFICATE OF SERVICE**

THIS IS TO CERTIFY that on October 18, 2021, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system. A true copy was also sent, via first class mail and electronically, to:

Paul Goldman  
PO Box 17033  
Richmond, VA 23226  
*Pro se Plaintiff*

Jeffrey Thomas, Jr.  
301 Virginia St.  
Unit 1514  
Richmond, VA 23219  
*Pro se Proposed Intervenor*

/s/ Jessica Merry Samuels  
Jessica Merry Samuels (VSB #89537)  
*Counsel for Defendants-Appellants*