

**UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

KENNETH CHAPMAN, et al.,  
  
Plaintiffs,  
  
v.  
  
TRISTAR PRODUCTS, INC.,  
  
Defendant.

Case No. 1:16-cv-1114

Judge James S. Gwin

**AMENDED NOTICE OF APPEAL**

Notice is hereby given that the Arizona Attorney General and the State of Arizona, by and through its Attorney General, (hereinafter “Arizona Attorney General”), hereby appeal to the United States Court of Appeals for the Sixth Circuit from this Court’s September 4, 2018 Opinion and Order (Doc. 162) denying the Arizona Attorney General’s motion to intervene, and from this Court’s September 6, 2018 Judgment (Doc. 165), including but not limited to, this Court’s August 3, 2018 approval of the proposed settlement (Doc. 156). The Arizona Attorney General intends to challenge this Court’s approval of the proposed settlement (presently entered as judgment), including by a protective notice of appeal as to this Court’s final judgment. *See, e.g.* 15A Charles Alan Wright &

Arthur R. Miller, *Federal Practice and Procedure* § 3902.1 (2d ed. 1995 & Supp. 2018) (“If final judgment is entered with or after the denial of intervention ... 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.”).

September 10, 2018

Respectfully Submitted,

MARK BRNOVICH  
ATTORNEY GENERAL  
STATE OF ARIZONA

*/s/ Dana R. Vogel*

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State of Arizona*

## CERTIFICATE OF SERVICE

I hereby certify that on this 10 day of September, 2018, I electronically filed the foregoing with the Clerk of the Court for the United States District Court for the Northern District of Ohio using the CM/ECF system. Counsel for all parties to the case are registered CM/ECF users and will be served by the court's CM/ECF system.

MARK BRNOVICH  
ATTORNEY GENERAL  
STATE OF ARIZONA

/s/ Dana R. Vogel  
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