

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

FAIRFAX COUNTY SCHOOL BOARD,)	
)	
<i>Plaintiff,</i>)	
)	Case No. 1:25-cv-01432 (RDA/LRV)
v.)	
)	
LINDA McMAHON, in her official capacity)	
as Secretary of Education of the United)	
States, and the UNITED STATES)	
DEPARTMENT OF EDUCATION,)	
)	
<i>Defendants.</i>)	

PLAINTIFF FAIRFAX COUNTY SCHOOL BOARD’S NOTICE OF APPEAL

Plaintiff Fairfax County School Board appeals to the United States Court of Appeals for the Fourth Circuit from the Court’s order (Dkt. No. 28) denying Plaintiff’s Emergency Motion for Preliminary Injunction and/or Temporary Restraining Order (Dkt. No. 2) and dismissing Plaintiff’s Complaint (Dkt. No. 1) issued on September 5, 2025.

Dated: September 9, 2025

Respectfully submitted,

/s/ Timothy Heaphy

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Attorneys for Fairfax County School Board

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FOR THE EASTERN DISTRICT OF VIRGINIA
Alexandria Division**

FAIRFAX COUNTY SCHOOL BOARD,)	
)	
<i>Plaintiff,</i>)	
)	
v.)	Civil Action No. 1:25-cv-01432
)	
LINDA McMAHON, in her official capacity)	
as Secretary of Education of the United)	
States, and the UNITED STATES)	
DEPARTMENT OF EDUCATION,)	
)	
<i>Defendants.</i>)	

CERTIFICATE OF SERVICE

I hereby certify that on this 9th day of September, 2025, I electronically filed a true and correct copy of the foregoing memorandum and accompanying documents with the Clerk of Court using the CM/ECF system. A copy of the foregoing will be sent to the following parties:

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