

APPENDIX “A”

December 28, 2017 Order from the
Fifth Circuit Court of Appeals

**THIS IS THE ORDER IN CONTROVERSAY
THAT THE RELATOR IS SEEKING MANDAMUS RELIEF**

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 17-20317



E. V. DRAKE,

Plaintiff - Appellant

A True Copy

Certified order issued Dec 28, 2017

John W. Cuyca

Clerk, U.S. Court of Appeals, Fifth Circuit

v.

NORDSTROM DEPARTMENT STORES, INCORPORATED; BLAKE
NORDSTROM; PETER NORDSTROM; ERICK NORDSTROM; JAMES
NORDSTROM; ENRIQUE HERNANDEZ, JR., Nordstrom's Chief Executive
Officer; NORDSTROM, INCORPORATED,

Defendants - Appellees

Appeals from the United States District Court
for the Southern District of Texas

Before DENNIS, SOUTHWICK, and HIGGINSON, Circuit Judges.

PER CURIAM:

IT IS ORDERED that appellees' motion to dismiss the appeals for lack of subject matter jurisdiction is DENIED. Instead the appeals are dismissed on the basis that the case and the appeals are frivolous.

IT IS FURTHER ORDERED that appellees' motion to recover their costs of this appeal under Federal Rule of Appellate Procedure 38 is DENIED as not properly presented under the Rule. It is ORDERED that Drake respond to this

Court's decision that the case and the appeals are frivolous, and comment on why appellees should not be awarded damages and single or double costs under FRAP 38.