

# **EXHIBIT 1**

Appellate Case: 22-1023 Document: 010111040636 Date Filed: 04/30/2024 Page: 1

**UNITED STATES COURT OF APPEALS  
FOR THE TENTH CIRCUIT**

**FILED  
United States Court of Appeals  
Tenth Circuit**

**April 30, 2024**

**Christopher M. Wolpert  
Clerk of Court**

DUKE BRADFORD; ARKANSAS  
VALLEY ADVENTURES, LLC, AKA  
AVA Rafting and Zipline; COLORADO  
RIVER OUTFITTERS ASSOCIATION,

Plaintiffs - Appellants,

v.

U.S. DEPARTMENT OF LABOR; U.S.  
DEPARTMENT OF LABOR, WAGE  
AND HOUR DIVISION; JOSEPH R.  
BIDEN, President of the United States;  
JULIE A. SU, U.S. Secretary of Labor;  
JESSICA LOOMAN, Acting  
Administrator,

Defendants - Appellees.

No. 22-1023  
(D.C. No. 1:21-CV-03283-PAB-STV)  
(D. Colo.)

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ECONOMIC POLICY INSTITUTE;  
NATIONAL EMPLOYMENT LAW  
PROJECT; NATIONAL ABILITY  
CENTER; NATIONAL WOMEN'S LAW  
CENTER; STATE OF ARIZONA;  
SERVICE EMPLOYEES  
INTERNATIONAL UNION; STATE OF  
ALABAMA; STATE OF ARKANSAS;  
STATE OF GEORGIA; STATE OF  
IDAHO; STATE OF INDIANA; STATE  
OF LOUISIANA; STATE OF  
MISSISSIPPI; STATE OF MISSOURI;  
STATE OF MONTANA; STATE OF  
NEBRASKA; STATE OF OKLAHOMA;  
STATE OF SOUTH CAROLINA;  
PUBLIC CITIZEN; SAFARI CLUB  
INTERNATIONAL;

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COMMUNICATIONS WORKERS OF AMERICA; STATE OF ILLINOIS; STATE OF CALIFORNIA; STATE OF CONNECTICUT; STATE OF DELAWARE; DISTRICT OF COLUMBIA; STATE OF MAINE; STATE OF MARYLAND; STATE OF MASSACHUSETTS; STATE OF MICHIGAN; STATE OF MINNESOTA; STATE OF NEVADA; STATE OF NEW JERSEY; STATE OF NEW MEXICO; STATE OF NEW YORK; STATE OF NORTH CAROLINA; STATE OF OREGON; STATE OF PENNSYLVANIA; STATE OF RHODE ISLAND; STATE OF VERMONT; STATE OF WASHINGTON,

Amici Curiae.

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## **JUDGMENT**

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Before **HOLMES**, Chief Judge, **EBEL**, and **EID**, Circuit Judges.

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This case originated in the District of Colorado and was argued by counsel.

The judgment of that court is affirmed.

Entered for the Court



CHRISTOPHER M. WOLPERT, Clerk