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8 Attorneys for Plaintiffs

9 UNITED STATES DISTRICT COURT
10 FOR THE NORTHERN DISTRICT OF CALIFORNIA

11 VIRGINIA SHUBERT, NOHA ARAFA,
12 SARAH DRANOFF and HILARY BOTEIN,
13 individually and on behalf of all others similarly
14 situated,

15 Plaintiffs,

16 -against -

17 BARACK OBAMA, et al. (07-693)

CASE NO. C-06-1791-VRW

CLASS ACTION

NOTICE OF APPEAL

Courtroom 6, 17th Floor
The Honorable Vaughn R. Walker

**ORIGINAL
FILED**

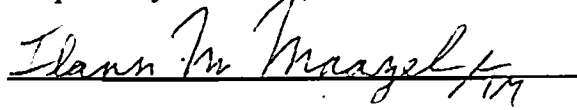
MAR 19 2010

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

18 Please take notice that plaintiffs Virginia Shubert, Noha Arafa, Sarah Dranoff and Hilary
19 Botein, and each of them, hereby appeal to the United States Court of Appeals for the Ninth Circuit
20 from the district court's Order dated January 21, 2010, dismissing plaintiffs' complaint with
21 prejudice (as amended by Order dated February 4, 2010) and from the district court's judgment
22 dismissing plaintiffs' action entered on January 25, 2010.

1
2 DATE: March 18, 2010

Respectfully submitted,

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Attorneys for Plaintiffs

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3 **CERTIFICATE OF SERVICE**

4 I am employed in the County of Santa Clara, State of California. I am over the age of 18
5 and not a party to the within action. My business address is 228 Hamilton Avenue, Third Floor,
6 Palo Alto, CA 94301.

7 On March 18, 2010, I served the following document(s):

8 **NOTICE OF APPEAL**

9 on the interested parties in this action addressed as follows:

10 **Anthony Joseph Coppolino**
11 U.S. Department of Justice
12 Civil Division, Federal Programs Branch
13 20 Massachusetts Avenue NW, Rm. 6102
14 Washington, DC 20001

James R. Whitman
U.S. Department of Justice
Civil Division, Torts Branch
P.O Box 7146, Ben Franklin Station
Washington, DC 20044-7146

15 **BY MAIL**

16 I deposited such envelope in the mail at Palo Alto, California. The envelope was mailed
17 with postage thereon fully prepaid.

18 As follows: I am "readily familiar" with the firm's practice of collection and processing
19 correspondence for mailing. Under that practice it would be deposited with the U.S. postal
20 service on that same day with postage thereon fully prepaid at Palo Alto, California in the
21 ordinary course of business. I am aware that on motion of the party served, service is
22 presumed invalid if postal cancellation date or postage meter date is more than one day
23 after date of deposit for mailing in affidavit.


24 **BY FACSIMILE TRANSMISSION** pursuant to Rule 2008 of the California Rules of Court. A
25 transmission report was properly issued by the sending facsimile machine, and the transmission was
26 reported as complete and without error.

27 **BY FEDERAL EXPRESS, OVERNIGHT**, which was dropped off at the Federal Express office
28 located at 3000 El Camino Real, Palo Alto, California 94306.

BY HAND: I placed a true and correct copy thereof in a sealed envelope and instructed a
messenger to hand deliver said envelope(s) to the address(es) noted above.

1 Executed on March 18, 2010 at Palo Alto, California.

- 2 **STATE:** I declare under penalty of perjury under the laws of the State of California that
3 the above is true and correct.
- 4 **FEDERAL:** I declare that I am employed in the office of a member of the bar of this Court
5 at whose direction the service was made.

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7 _____
8 Nicole Economou

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