United States Court of Appeals for the Second Circuit Thurgood Marshall U.S. Courthouse 40 Foley Square New York, NY 10007

DENNIS JACOBS CHIEF JUDGE CATHERINE O'HAGAN WOLFE CLERK OF COURT

Date: November 03, 2011 Docket #: 11-1197cv Short Title: Patrick Cariou v. Richard Prince DC Docket #: 08-cv-11327 DC Court: SDNY (NEW YORK CITY) DC Judge: Batts

NOTICE OF DEFECTIVE FILING

On Nov. 3rd, 2011 the Notice of Appearance as Amicus Counsel on behalf of the Amici The Andy Warhol Foundation for the Visual Arts, was submitted in the above referenced case. The document does not comply with the FRAP or the Court's Local Rules for the following reason(s):

Failure to submit acknowledgment and notice of appearance (Local Rule 12.3) Failure to file the Record on Appeal (FRAP 10, 11) ____ Missing motion information statement (T-1080 - Local Rule 27.1) Missing supporting papers for motion (e.g, affidavit/affirmation/declaration) (FRAP 27) Insufficient number of copies (Local Rules: 21.1, 27.1, 30.1, 31.1) Improper proof of service (FRAP 25) Missing proof of service Served to an incorrect address Incomplete service (Anders v. California 386 U.S. 738 (1967)) Failure to submit document in digital format (Local Rule 25.1) XXX Not Text-Searchable (Local Rule 25.1, Interim Local Rules 25.2), click here for instructions on how to make PDFs text searchable Failure to file appendix on CD-ROM (Local Rule 25.1, Interim Local Rules 25.2) Failure to file special appendix (Local Rule 32.1) Defective cover (FRAP 32) Incorrect caption (FRAP 32) Wrong color cover (FRAP 32) Docket number font too small (Local Rule 32.1) Incorrect pagination, click here for instructions on how to paginate PDFs Incorrect font (FRAP 32) Oversized filing (FRAP 32) Missing Amicus Curiae filing or motion (Local Rule 29.1) Untimely filing Incorrect Filing Event Other:

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Failure to cure the defect(s) by the date set forth above will result in the document being stricken. An appellant's failure to cure a defective filing may result in the dismissal of the appeal.

Inquiries regarding this case may be directed to 212-857-8561.