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and Third-Party Defendant Michael Donnelly

**UNITED STATES DISTRICT COURT  
DISTRICT OF ARIZONA**

**MDY INDUSTRIES, LLC,**  
Plaintiff and Counterdefendant,

vs.

**BLIZZARD ENTERTAINMENT, INC.,  
and VIVENDI GAMES, INC.,**  
Defendants and Counterclaimants,

**BLIZZARD ENTERTAINMENT, INC.,  
and VIVENDI GAMES, INC.,**  
Third-Party Plaintiffs,

vs.

**MICHAEL DONNELLY, an individual**  
Third-Party Defendant.

**Case No.: CV06-02555-PHX-DGC**

**Notice of Appeal**

**The Honorable David G. Campbell**

Notice is hereby given that MDY Industries LLC and Michael Donnelly (collectively "MDY"), plaintiff and third-party defendant respectively, hereby appeal to the United States Court of Appeals for the Ninth Circuit from the District Court's March 10, 2009 Order whereby the District Court denied MDY's request to stay the Court's permanent injunction entered on January 28, 2009.

1 Respectfully submitted on March 30, 2009.

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**Venable, Campillo, Logan & Meaney, P.C.**

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*Attorneys for Plaintiff MDY  
Industries, LLC and Third-Party  
Defendant Donnelly*

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**CERTIFICATE OF SERVICE**

I hereby certify that on March 30, 2009, I electronically transmitted the **Notice of Appeal and Civil Appeals Docketing Statement** to the Clerk’s Office using the CM/ECF System for filing and transmittal of a Notice of Electronic Filing to the following CM/ECF registrants:

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I hereby certify that on \_\_\_\_\_, I served the attached document by **FIRST CLASS MAIL** on the following, who are not registered participants of the CM/ECF System:

Name	Physical or Email Address

s/ Lance C. Venable