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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 final judgment entered by this Court on April 1, 2009.

Respectfully submitted on April 29, 2009.

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

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By /s/Lance C. Venable
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CIRCUIT RULE 3-2(b) CERTIFICATE

As required under Circuit Rule 3-2(b), the addresses and telephone numbers of the attorneys for the parties are as follows:

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CERTIFICATE OF SERVICE

I hereby certify that on April 29, 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:

Name	Email Address
Christian Genetski, Esq.	cgenetski@sonnenschein.com
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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