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**UNITED STATES DISTRICT COURT  
 DISTRICT OF ARIZONA**

7 MDY INDUSTRIES, LLC, )  
 8 )  
 Plaintiff and Counter-Claim )  
 9 Defendant )  
 10 vs. )  
 11 )  
 BLIZZARD ENTERTAINMENT, INC., )  
 12 and VIVENDI GAMES, INC. )  
 13 )  
 Defendants and )  
 14 Counter-Claim Plaintiffs. )

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

**NOTICE OF CROSS-  
 APPEAL**

The Honorable David G. Campbell

15 BLIZZARD ENTERTAINMENT, INC., )  
 16 and VIVENDI GAMES, INC. )  
 17 )  
 Third-Party Plaintiffs, )  
 18 )  
 vs. )  
 19 )  
 MICHAEL DONNELLY, )  
 20 )  
 Third-Party Defendant. )  
 21 )

22 Notice is hereby given that Blizzard Entertainment, Inc. & Vivendi Games,  
 23 Inc., defendants and counter-claim plaintiffs in the above named case, hereby  
 24 cross-appeal to the United States Court of Appeals for the Ninth Circuit from the  
 25 final judgment entered in this action on the 1st day of April 2009.  
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Dated: May 12, 2009

Respectfully submitted,

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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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