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7 Attorneys for Defendants Governor Arnold
 8 Schwarzenegger and Attorney General Edmund G.
 Brown Jr.

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 11 IN THE UNITED STATES DISTRICT COURT
 12 FOR THE NORTHERN DISTRICT OF CALIFORNIA
 13 SAN JOSE DIVISION

14 VIDEO SOFTWARE DEALERS ASSOCIATION
 and ENTERTAINMENT SOFTWARE
 15 ASSOCIATION,

C 05 4188 RMW RS
 NOTICE OF APPEAL

16 Plaintiffs,

17 v.

18 ARNOLD SCHWARZENEGGER, in his official
 capacity as Governor of the State of California;
 19 EDMUND G. BROWN JR., in his official capacity as
 Attorney General of the State of California;
 20 GEORGE KENNEDY, in his official capacity as
 Santa Clara County District Attorney, RICHARD
 21 DOYLE, in his official capacity as City Attorney for
 the City of San Jose, and ANN MILLER RAVEL, in
 22 her official capacity as County Counsel for the
 County of Santa Clara,

23 Defendants.
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NOTICE OF APPEAL

1 NOTICE IS HEREBY GIVEN that Arnold Schwarzenegger, in his official capacity as
2 Governor of the State of California, and Edmund G. Brown Jr.^{1/}, in his official capacity as the
3 California Attorney General, defendants in the above named case, hereby appeal to the United
4 States Court of Appeals for the Ninth Circuit from the preliminary injunction entered December
5 21, 2005, and the order granting plaintiffs' motion for summary judgment entered August 6,
6 2007, and the permanent injunction and final judgement entered August 14, 2007.

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Dated: September 4, 2007

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Respectfully submitted,

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EDMUND G. BROWN JR.
Attorney General of the State of California

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CHRISTOPHER E. KRUEGER
Senior Assistant Attorney General

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ZACKERY P. MORAZZINI
Deputy Attorney General
Attorneys for Defendants

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1. Edmund G. Brown Jr. is substituted in for his predecessor, Bill Lockyer, as California Attorney General, pursuant to Fed. R. App. P. 43(c)(2).

DECLARATION OF SERVICE

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Case Name : **Video Software Dealers, et al. v. Arnold Schwarzenegger, et al.**
Case No. : C 05 4188 RMW RS
Court : United States District Court - Northern District

I declare:

I am employed in the Office of the Attorney General, which is the office of a member of the Bar of this Court at which member's direction this service is made. I am 18 years of age or older and not a party to the within entitled case.

On the date indicated below, I served the following:

NOTICE OF APPEAL

Addressed as follows:

Theodore J. Boutrous, Jr.
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Counsel for Defendant Richard Doyle, as the San Jose City Attorney

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Kathryn J. Zoglin
Office of the Santa Clara County Counsel
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Counsel for Defendants George Kennedy, as the Santa Clara County District Attorney and Ann Miller, as the Santa Clara County Counsel

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I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed on **September 4, 2007**, at Sacramento, California.


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