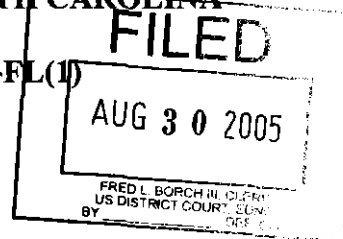


IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
CIVIL ACTION NO. 5:05-CV-48-FL(1)



RICHARD P. NORDAN, as Ancillary
Administrator for the separate Estates of
STEPHEN S. HELVENSTON, MIKE R.
TEAGUE, JERKO GERALD ZOVKO and
WESLEY J. K. BATALONA,

Plaintiff,

v.

BLACKWATER SECURITY
CONSULTING, LLC, a Delaware Limited
Liability Company; BLACKWATER
LODGE AND TRAINING CENTER, INC.,
a Delaware Corporation, JUSTIN L.
McQUOWN, an individual; and THOMAS
POWELL, an individual,

Defendants.

DEFENDANTS' BLACKWATER
SECURITY CONSULTING, LLC, AND
BLACKWATER LODGE AND
TRAINING CENTER, INC.
NOTICE OF APPEAL

Notice is hereby given that Defendants Blackwater Security Consulting, LLC, and
Blackwater Lodge and Training Center, Inc. ("Blackwater") hereby appeal to the United States
Court of Appeals for the Fourth Circuit from the August 11, 2005 Order granting Plaintiff
Richard P. Nordan's Motion to Remand and denying as moot Blackwater's Motion to Dismiss
Plaintiff's Complaint under Federal Rules of Civil Procedure 12(b)(6) and 9(b).

This the 30th day of August, 2005.

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CERTIFICATE OF SERVICE

This is to certify that the undersigned has this date served the foregoing in the above-entitled action upon all other parties to this cause by facsimile and U.S. Mail, addressed to the following parties:


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This the 30th day of August, 2005.


Kirk G. Warner