

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
RICHMOND DIVISION**

**THE HONORABLE RICK PERRY,**

**Plaintiff,**

**THE HONORABLE NEWT GINGRICH,  
THE HONORABLE JON HUNTSMAN, JR.,  
and THE HONORABLE RICK SANTORUM,**

**Intervenor-Plaintiffs,**

v.

**Civil No. 3:11-cv-856**

**CHARLES JUDD, KIMBERLY BOWERS, and  
DON PALMER, members of the Virginia State  
Board of Elections, in their official capacities, and  
PAT MULLINS, in his official capacity as  
Chairman of the Republican Party of Virginia,**

**Defendants.**

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**NOTICE OF APPEAL OF INTERVENOR-PLAINTIFF NEWT GINGRICH**

Notice is hereby given that The Honorable Newt Gingrich, Intervenor-Plaintiff in the above named case, hereby appeals to the United States Court of Appeals for the Fourth Circuit from the Memorandum Opinion [Doc. 73] and Order [Doc. 74] of the United States District Court for the Eastern District of Virginia, entered on January 13, 2012, denying the Plaintiff and Intervenor-Plaintiffs' motion for temporary restraining order and preliminary injunction, including, but not limited to, the court's finding that "[t]he equitable doctrine of laches bars the [P]laintiffs' request for a preliminary injunction." [Doc. 73 at 1].

Dated this 14th day of January, 2012.

Respectfully Submitted,

/S/

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**CERTIFICATE OF SERVICE**

I hereby certify that on January 14, 2012, I electronically filed the foregoing document with the Clerk of the Court using the CM/ECF System, which will send a notification of such filing (NEF) to the following counsel of record for Defendants, Plaintiff, and the remaining Intervenor-Plaintiffs:

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