## UNITED STATES DISTRICT COURT WESTERN DISTRICT OF WISCONSIN

LEWIS, J.,

individually and on behalf of all others similarly situated,
Plaintiffs,

v.

Case No. 3:15-cv-00082

EPIC SYSTEMS CORPORATION,

Defendant.

## **NOTICE OF APPEAL**

NOTICE IS HEREBY GIVEN that Defendant Epic Systems Corporation ("Epic"), pursuant to Section 16 of the Federal Arbitration Act, hereby appeals to the United States Court of Appeals for the Seventh Circuit the Court's Order entered in this action on September 11, 2015 [Docket No. 54] denying Epic's Motion to Dismiss and Compel Individual Arbitration.

See 9 U.S.C. § 16(a) (permitting immediate appeal of order denying motion to compel arbitration); Janiga v. Questar Capital Corp., 615 F.3d 735, 740 (7th Cir. 2010) ("an interlocutory appeal may be taken from a district court order 'refusing a stay of any action . . . under this title' or 'denying a petition . . . to order arbitration to proceed."") (citing 9 U.S.C. § 16).

## **Dated: September 11, 2015**Respectfully submitted, EPIC SYSTEMS CORPORATION

By <u>s/ Andrew Scroggins</u>
One of Its Attorneys

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## **CERTIFICATE OF SERVICE**

I, Andrew Scroggins, an attorney, hereby certify that on September 11, 2015, a copy of the foregoing **NOTICE OF APPEAL** was electronically filed via the Court's CM/ECF system, which transmitted service of the same upon the following counsel of record for Applicant:

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