

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF NORTH CAROLINA

No. 1:09-cv-00071-NCT-JLW

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|--|---|---------------------|
| JAMES L. PHILLIPS, Individually and on |) | <u>CLASS ACTION</u> |
| Behalf of All Others Similarly Situated, |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| vs. |) | |
| |) | |
| TRIAD GUARANTY INC., <i>et al.</i> , |) | |
| |) | |
| Defendants. |) | |
| |) | |
| _____ |) | |

NOTICE OF APPEAL

Notice is hereby given that Western Pennsylvania Electrical Employees Pension Fund, lead plaintiff in the above-named case, on behalf itself and all others similarly situated, hereby appeals to the United States Court of Appeals for the Fourth Circuit from the Judgment entered by the Clerk of the Court on March 30, 2015 in favor of defendants Mark K. Tonnesen and Kenneth W. Jones. Dkt. No. 109. This notice encompasses the Judgment as well as all prior and subsequent rulings related to or merged into the Judgment, including the Memorandum Opinion and Order entered on March 30, 2015 that granted with prejudice defendants' motion to dismiss the Second Amended Complaint. Dkt. No. 108.

DATED: April 29, 2015

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CERTIFICATE OF SERVICE

I hereby certify that on April 29, 2015, I electronically filed the foregoing with the Clerk of the Court using CM/ECF. I also certify that the foregoing document is being served this day on all counsel of record or *pro se* parties either via transmission of Notices of Electronic Filing generated by CM/ECF or in some other authorized manner for those counsel or parties who are not authorized to receive electronically Notices of Electronic Filing.

/s/ *Jack Reise*