

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

METROPOLITAN LIFE INSURANCE)	
COMPANY)	CASE NO. 4:00-CV-1927 (CEJ)
)	(Consolidated with 4:04-CV-869 (CEJ))
Plaintiff,)	
)	
v.)	
)	
BANCORP SERVICES, L.L.C. and)	
BENEFIT FINANCE PARTNERS, L.L.C.,)	
)	
Defendants.)	
_____)	

**NOTICE OF APPEAL TO THE UNITED STATES COURT OF APPEALS FOR THE
FEDERAL CIRCUIT**

Notice is hereby given that Defendants Bancorp Services, L.L.C. and Benefit Finance Partners, L.L.C. ("Defendants") appeal to the United States Court of Appeals for the Federal Circuit from the Eastern District of Missouri's (1) January 5, 2006 Order (Dkt. No. 188) denying Defendants' Motion for Discovery under Fed.R.Civ.P. 56(f), on which judgment was entered in the Civil Docket on April 2, 2007; (2) February 6, 2007 Order (Dkt. No. 207) granting Plaintiff Metropolitan Life Insurance Company's Motion for Reconsideration and granting Plaintiff's Motion for Summary Judgment, on which judgment was entered in the Civil Docket on April 2, 2007; and (3) April 2, 2007 Final Judgment (Dkt. No. 211) granting Plaintiff declaratory judgment of non-infringement of U.S. Patent No. 5,926,792 and dismissing with prejudice Bancorp Services L.L.C.'s Counterclaim of infringement of U.S. Patent No. 5,926,792. Defendants further appeal from any and all other orders and rulings made appealable by the United States District Court for the Eastern District of Missouri's Orders and/or Judgment set forth above.

Dated: April 27, 2007

Respectfully submitted,

QUINN EMANUEL URQUHART OLIVER
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ATTORNEYS FOR DEFENDANTS
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Benefit Finance Partners, L.L.C.

CERTIFICATE OF SERVICE

I hereby certify that on the 27th day of April, 2007, the foregoing was filed electronically with the Clerk of the Court to be served by operation of the Court's electronic filing system upon the following:

Edward Dolido
Felice B. Galant
C. Andrew Im
John H. Quinn
Joseph P. Zammit

By: /s/ David A. Perlson