

UNITED STATES DISTRICT COURT  
DISTRICT OF COLORADO

D THREE ENTERPRISES, LLC,

Plaintiff,

v.

RILLITO RIVER SOLAR LLC d/b/a  
ECOFASTEN SOLAR,

Defendant.

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CIVIL ACTION NO.  
1:15-cv-1148-MSK-CBS

**NOTICE OF APPEAL**

NOTICE is hereby given that Plaintiff D THREE ENTERPRISES, LLC in the above-named case hereby appeals to the United States Court of Appeals for the Federal Circuit from the March 15, 2107 Memorandum Opinion and Order (Dkt. 82) and March 16, 2017 Final Judgment (Dkt. 83).

An identical Memorandum Opinion and Order was also entered in a related, although not consolidated, matter titled *D Three Enterprises, LLC v. Sunmodo Corporation*, Civil Action No. 1:15-cv-1151-MSK-CBS (“the *Sunmodo* matter”), Dkt. 75. Plaintiff is filing a substantively identical Notice of Appeal in the *Sunmodo* matter, and judicial economy would favor consolidation of these appeals going forward.

**Dated: April 11, 2017.**

Respectfully submitted,

/s/ Michael T. Cooke  
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**ATTORNEYS FOR PLAINTIFF  
D THREE ENTERPRISES, LLC**

**CERTIFICATE OF SERVICE**

I hereby certify that on April 11, 2017, I electronically filed the foregoing document with the clerk of the court for the U.S. District Court, District of Colorado, using the electronic case filing system of the court. The electronic case filing system sent a “Notice of Electronic Filing” to the attorneys of record who have consented in writing to accept this Notice as service of this document by electronic means.

/s/ Michael T. Cooke