

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION**

MERITOR TRANSMISSION
CORPORATION,

Plaintiff,

v.

EATON CORPORATION,

Defendant.

Civil Action No. 1:04 CV 178

Judge: Lacy H. Thornburg

MERITOR'S NOTICE OF APPEAL

Notice is hereby given that Plaintiff Meritor Transmission Corporation appeals to the United States Court of Appeals for the Federal Circuit from the Judgment, Docket No. 82, and the related Memorandum and Order, Docket No. 81, both entered in the above-referenced action on February 23, 2007.

Respectfully submitted this the 5th day of March, 2007.

s/ James W. Williams

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CERTIFICATE OF SERVICE

This is to certify that the undersigned has this date served **MERITOR'S NOTICE OF APPEAL** in the above entitled action upon all parties to this cause via e-mail properly addressed as set forth below. John A. Burlingame, Esquire is also being served via Federal Express, next day delivery.

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This the 5th day of March, 2007.

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