

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

PAICE LLC,

Plaintiff and Counter-
Defendant

vs.

**TOYOTA MOTOR CORP., TOYOTA
MOTOR NORTH AMERICA, INC., and
TOYOTA MOTOR SALES, U.S.A., INC.,**

Defendants and Counter-
Plaintiffs.

NOTICE OF APPEAL

NO. 2-04CV-211 DF
Judge David Folsom

TOYOTA'S NOTICE OF APPEAL

Pursuant to Fed. R. App. P. 3 and 28 U.S.C. §1295, notice is hereby given that Defendants Toyota Motor Corp., Toyota Motor North America, Inc. and Toyota Motor Sales, USA, Inc. (collectively "Toyota") hereby appeal to the United States Court of Appeals for the Federal Circuit from the District Court's Final Judgment entered in this action on August 16, 2006, its Order denying Toyota's Motion for Judgment as a Matter of Law or, in the Alternative, for a New Trial entered on August 16, 2006, and all orders, decisions, rulings, findings, and/or conclusions entered in this action that support or relate to the Court's denial of Toyota's post-trial motion.

The fees associated with the filing of the notice and docketing of the appeal are being submitted to the Court through the ECF system on this date.

Dated: August 31, 2006

Respectfully submitted

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Inc., and Toyota Motor Sales, Inc.

CERTIFICATE OF SERVICE

I certify that on August 31, 2006 a true and correct copy of the foregoing was served upon counsel listed below by ECF.

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/s/ George E. Badnoch