

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
Civil Action No: 3:03-CV-69-C**

ROBERTS POLYPRO INC.,

Plaintiff,

v.

**TODD M. ADDISON and ULTRA
FLEX PACKAGING CORPORATION,**

Defendants.

NOTICE OF APPEAL

Pursuant to 28 USCA § 2107 and Rule 58(b)(2)(B) of the Federal Rules of Civil Procedure, notice is hereby given that Defendants Todd M. Addison and Ultra Flex Packaging Corporation in the above-named case hereby appeal to the United States Court of Appeals for the Federal Circuit from the Memorandum and Order entered in this action on January 6, 2006.

Defendants note that no separate document has been filed pursuant to Fed. R. Civ. P. 58 setting forth the Court's award of summary judgment granted in the Order of January 6, 2006. Accordingly, the Order became final 150 days later.

This 27th day of June, 2006.

s/ A. Ward McKeithen

A. Ward McKeithen

N.C. Bar No. 5063

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CERTIFICATE OF SERVICE

I hereby certify that I electronically filed the foregoing **NOTICE OF APPEAL** with the Clerk of Court using the CM/ECF system which will send notification of such filing to the following:

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and I hereby certify that I have mailed the document to the following non CM/ECF participants:

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This 27th day of June, 2006.

s/ A. Ward McKeithen
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