

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

RANDI BLACK,

Plaintiff,

vs.

CE SOIR LINGERIE CO., INC., a California corporation; BRAGEL INTERNATIONAL INC., a California corporation; DILLARD'S, INC., a Delaware corporation; FEDERATED DEPARTMENT STORES, INC., an Ohio corporation; GAP, INC., a Delaware corporation; THE NEIMAN MARCUS GROUP, INC., a Delaware corporation; NORDSTROM, INC., a Washington corporation; and VICTORIA'S SECRET STORES, LLC, a Delaware limited liability company,

Defendants.

Civil Action No. 2:06-CV-544 (JDL)

Jury Demanded

Notice of Appeal to the United States Court of Appeals for the Federal Circuit

Notice is hereby given that Randi Black, Plaintiff in the above named case, hereby appeals to the United States Court of Appeals for the Federal Circuit from the Final Judgment entered in favor of Defendants on September 3, 2008, from the district court's order granting in part the Defendants' motion for summary judgment (August 15, 2008), and from the district court's order regarding claim construction (December 10, 2007).

Dated: September 10, 2008

DOVEL & LUNER, LLP

Respectfully submitted,

By: /s/ Gregory S. Dovel

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ATTORNEYS FOR PLAINTIFF AND
COUNTERDEFENDANT RANDI BLACK

CERTIFICATE OF SERVICE

I hereby certify that counsel of record who are deemed to have consented to electronic service are being served this 10^h day of September, 2008, with a copy of this document via the Court's CM/ECF system per Local Rule CV-5(a)(3). Any other counsel of record will be served by electronic mail, facsimile transmission and/or first class mail on this same date.

/s/ Gregory S. Dovel