

IN THE UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF MASSACHUSETTS

ATLANTIC RESEARCH MARKETING
SYSTEMS, INC.,

Plaintiff,

v.

STEPHEN P. TROY, JR. AND TROY
INDUSTRIES, INC.,

Defendants.

Civil Action No. 07-cv-11576 (PBS)

NOTICE OF APPEAL

Notice is hereby given that the defendants in the above named case, Stephen P. Troy, Jr. and Troy Industries, Inc. ("Troy"), hereby appeal to the United States Court of Appeals for the Federal Circuit from (1) the Electronic Order denying Troy's Motion to Compel as to the joint defense/common interest agreement and the Stroz Friedberg reports dated May 13, 2011, and (2) the Electronic Order denying Troy's Motion to Compel as to the Barreras Affidavit dated May 18, 2011.

Respectfully submitted,

DONOVAN HATEM, LLP

Dated: 5/27/2011

/s/ Damian R. LaPlaca
Damian R. LaPlaca (BBO No. 551369)
dlaplaca@donovanhatem.com
Two Seaport Lane
Boston, MA 02210
Telephone: (617) 406-4500
Facsimile: (617) 406-4501

*Attorneys for Defendants, Troy Industries,
Inc. and Stephen P. Troy*

LANDO & ANASTASI, LLP

Thomas P. McNulty

Thomas P. McNulty (BBO No. 654564)

tmcnulty@ll-a.com

Ann Lamport Hammitte (BBO No. 53263)

ahammitte@ll-a.com

Riverfront Office Park

One Main Street, 11th Floor

Cambridge, MA 02142

Telephone: (617) 395-7000

Facsimile: (617) 395-7070

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the foregoing *Notice of Appeal* was filed through the ECF system and will be sent electronically to the registered participants, including those persons listed below, this 27th day of May, 2011:

Paul J. Hayes

Dean G. Bostock

Hayes Bostock & Cronin LLP

300 Brickstone Square, 9th Floor

Andover, Massachusetts 01810

Thomas P. McNulty, Esquire
Ann Lamport Hammitte, Esquire

Lando & Anastasi, LLP

Riverfront Office Park

One Main Street, 11th Floor

Cambridge, MA 02142

/s/ Damian R. LaPlaca

01363473.DOC