

UNITED STATES DISTRICT COURT
DISTRICT OF CONNECTICUT

_____)	
SPENDINGMONEY LLC,)	
)	
Plaintiff,)	
)	No. 3:08cv1376 (SRU)
v.)	
)	
AMERICAN EXPRESS CO., <i>et al.</i> ,)	APRIL 26, 2012
)	
Defendants,)	
_____)	

NOTICE OF APPEAL

Pursuant to Rules 3 and 4 of the Federal Rules of Appellate Procedure and Rule 3 of the Federal Circuit Rules, Plaintiff SpendingMoney LLC ("Plaintiff") hereby gives notice and appeals to the United States Court of Appeals for the Federal Circuit from the following Orders:

- (1) Order granting Defendants' Motions for Summary Judgment [dkt. ## 103, 119] and denying Plaintiff's motions to strike [dkt. ## 169, 170], issued by the United States District Court for the District of Connecticut (Underhill, U.S.D.J.) on March 27, 2012 [dkt. # 190];
- (2) Claim Construction Ruling issued by the United States District Court for the District of Connecticut (Underhill, U.S.D.J.) on dated July 18, 2011 [dkt. #183]; and
- (3) Order dismissing Count III of the Amended Complaint alleging violations of the Connecticut Unfair Trade Practices Act, Conn. Gen. Stat. § 42-110g, issued by the United States District Court for the District of Connecticut (Underhill, U.S.D.J.) on May 22, 2009 [dkt. # 83].

Collectively, the foregoing orders as referred to herein as the "Orders."

The Orders are appealable, as a final judgment was entered on March 28, 2012, entering judgment for the Defendants [dkt. # 191], and this appeal is timely pursuant to Rule 4(a)(1)(A) of the Federal Rules of Appellate Procedure.

THE PLAINTIFF,
SPENDINGMONEY LLC,

By: /s/ Joseph M. Pastore III
Joseph M. Pastore III
SMITH, GAMBRELL & RUSSELL LLP
250 Park Avenue, Suite 1900
New York, NY 10177
(212) 907-9700
jpastore@sgrlaw.com

CERTIFICATE OF SERVICE

I hereby certify that on the date hereof the foregoing Notice of Appeal was filed through the Court's CM/ECF system and will be served on all counsel of record via the Court's CM/ECF system, F.R.A.P. 3(d).

/s/ Joseph M. Pastore III

Joseph M. Pastore III