

**FILED**

NOV 21 2008

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
SAN ANTONIO DIVISION

CLERK, U.S. DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
BY   
DEPUTY CLERK

MAVERICK RECORDING CO., *et al.*,

Plaintiffs,

vs.

WHITNEY HARPER,

Defendant.

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CIVIL ACTION NO. 5:07-CV-026-XR

JUDGE XAVIER RODRIGUEZ

**NOTICE OF APPEAL**

Notice is hereby given that Whitney Harper, Defendant in the above named case, hereby appeals to the United States Court of Appeals for the 5<sup>th</sup> Circuit from an order granting summary judgment to the Plaintiffs entered in this action on the 22<sup>nd</sup> day of October, 2008 .

By:



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**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that on 11/20/2008, a copy of the foregoing defendants' NOTICE OF APPEAL was served upon the Defendant via email and/or facsimile as follows:

Andrew Mohraz

*Attorney for Defendant*

11/20/2008



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Donald Scott Mackenzie