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10 *Attorneys for Plaintiffs*

11  
12 IN THE UNITED STATES DISTRICT COURT  
13 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
14 SAN FRANCISCO DIVISION

15 MARKUS WILSON and DOUG  
16 CAMPEN, individually and on behalf of all  
others similarly situated,

17 Plaintiffs,

18 v.

19 FRITO-LAY NORTH AMERICA, INC.,

20 Defendant.  
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Case No. 3:12-cv-01586-JST

**PLAINTIFFS' NOTICE OF APPEAL  
WITH NINTH CIRCUIT RULE 3-2  
REPRESENTATION STATEMENT**

Judge: Hon. Jon S. Tigar  
Action Filed: March 29, 2012

1 Plaintiffs Markus Wilson and Doug Campen, through their undersigned counsel, hereby  
2 appeal to the United States Court of Appeals for the Ninth Circuit the Judgment entered on  
3 August 14, 2017 (Dkt. No. 199). In appealing the Judgment, Plaintiffs appeal from any and all  
4 orders antecedent and ancillary thereto, including and all interlocutory judgments, decrees,  
5 decisions, rulings, verdicts, and opinions that merged into and became part of the Judgment, that  
6 shaped the Judgment, that are related to the Judgment, and upon which the Judgment is based. As  
7 such, this appeal will include but not be limited to, the following orders:

- 8 1. May 26, 2017 Order Granting Defendant's Motion for Summary Judgment (Dkt. No. 183)
- 9 and
- 10 2. August 14, 2017 Order Denying Plaintiffs' Motion to Substitute and to Amended (Dkt.  
11 No. 198).

12 Dated: September 11, 2017

Respectfully submitted,

13 /s/ David McMullan, Jr.  
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**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing was served via the Court's ECF system upon all counsel of record on this the 11th day of September, 2017.

/s/ David McMullan, Jr.  
David McMullan, Jr.