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10 RAYMOND P. MARIOLLE and
11 REGINA LYNN MARIOLLE

12 IN THE UNITED STATES DISTRICT COURT
13 FOR THE NORTHERN DISTRICT OF CALIFORNIA

14 RAYMOND P. MARIOLLE,
15 REGINA LYNN MARIOLLE,

16 Plaintiffs,

17 vs.

18 VOLVO GROUP NORTH AMERICA, INC.;
19 CONSOLIDATED METCO, INC.;
20 AMSTED INDUSTRIES, INC.; LABRIE
21 ENVIRONMENTAL GROUP; WITTKE
22 WASTE EQUIPMENT; FEDERAL SIGNAL
23 CORPORATION and DOES 1 through 25,
24 inclusive,

25 Defendants.

) Case No. 3:09-cv-1209 MMC
) Case No. 3:09-cv-4250 MMC

) **NOTICE OF APPEAL TO THE**
) **UNITED STATES COURT OF**
) **APPEAL FOR THE NINTH**
) **CIRCUIT BY PLAINTIFFS**
) **RAYMOND P. MARIOLLE AND**
) **REGINA LYNN MARIOLLE**

26 TO: THE COURT, ALL PARTIES AND THEIR COUNSEL OF RECORD

27 Pursuant to Federal Rules of Appellate Procedure, Rule 3, notice is hereby given that
28 plaintiffs Raymond P. Mariolle and Regina Lynn Mariolle hereby appeal to the United States Court
of Appeal for the Ninth Circuit from the "Amended Judgment in a Civil Case," entered in this action
on September 4, 2012 (attached hereto as Exhibit A), and from the District Court's "Order Denying
Defendants' Post-Trial Motions, etc." entered on September 4, 2012 (attached hereto as Exhibit B).

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1 DATED: October 16, 2012

Respectfully submitted,

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BOXER & GERSON, LLP

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By  _____

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GARY B. ROTH
Attorneys for Plaintiffs
RAYMOND P. MARIOLLE and
REGINA LYNN MARIOLLE

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