

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS
EASTERN DIVISION**

FAMILY WINEMAKERS OF CALIFORNIA;
STEPHEN J. POOR III, MD, an individual; and
GERALD C. LEADER, an individual;

Plaintiffs,

v.

EDDIE J. JENKINS, in his official capacity as
Chairman of the Massachusetts Alcoholic
Beverages Control Commission; SUZANNE
IANNELLA, in her official capacity as
Associate Commissioner of the Massachusetts
Alcoholic Beverages Control Commission; and
ROBERT H. CRONIN, in his official capacity
as Associate Commissioner of the Massachusetts
Alcoholic Beverages Control Commission;

Defendants.

CIVIL ACTION NO. 1:06-CV-11682-RWZ

NOTICE OF APPEAL

Notice is hereby given that Plaintiffs Family Winemakers of California, Stephen J. Poor III, MD, and Gerald C. Leader (collectively, the "Plaintiffs") hereby appeal to the United States Court of Appeals for the First Circuit from the Memorandum and Order (Zobel, D.J.) dated and entered June 8, 2011, allowing the Plaintiffs' Amended Motion for Attorneys Fees and awarding \$615,873.09 in fees and \$62,561.91 in expenses.

Respectfully submitted,

Family Winemakers of California; Stephen
J. Poor III, MD, an individual; and
Gerald C. Leader, an individual,
By their attorneys,

/s/ Tracy Genesen

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Dated: July 8, 2011

CERTIFICATE OF SERVICE

I hereby certify that on July 8, 2011, I served the foregoing document upon all parties, by electronically filing a copy through the ECF system. Paper copies will be sent to those indicated as non registered participants on July 8, 2011.

/s/ Gerald J. Caruso

Gerald J. Caruso