

**UNITED STATES COURT OF APPEALS  
FOR THE FIRST CIRCUIT**

COORS BREWING COMPANY,

Appellant,

v.

JUAN CARLOS MÉNDEZ TORRES,  
SECRETARY OF THE TREASURY  
DEPARTMENT OF THE  
COMMONWEALTH OF PUERTO RICO,

Appellee.

Case No. 07-2682

**NOTICE OF FILING**

Coors Brewing Company (“Coors”) hereby notifies the Court of its inability to electronically file the attached Notice of Appeal due to a technical failure in the CM/ECF system for the U.S. District Court for the District of Puerto Rico.<sup>1</sup> Undersigned counsel has today repeatedly attempted to file the Notice of Appeal via the CM/ECF system, but the system has been continuously unable to accept filings for a period of at least several hours after 10:00 AM on this day. (The District Court’s fax telephone line also appears to be out of order.) The Notice of Appeal is attached as an exhibit to this Notice of Filing.

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<sup>1</sup> Coors has employed the docket number from its prior appeal in this case in order to effectuate the instant filing via CM/ECFS.

Wherefore, Coors respectfully requests, pursuant to Federal Rule of Appellate Procedure 4(d), that the Clerk of Court for the U.S. Court of Appeals for the First Circuit “note on the notice the date when it was received and send it to the district clerk” to be “considered filed in the district court on the date so noted.” In addition, in an abundance of caution, Coors has on this date submitted the Notice of Appeal for posting to the PACER system via electronic mail.

Respectfully submitted,

/s/ Pedro Jiménez

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Dated: April 29, 2011

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**CERTIFICATE OF SERVICE**

I, Pedro Jiménez, hereby certify that on April 29, 2011, I electronically filed the foregoing **Notice of Filing** with the Clerk of the Court using the CM/ECF System, which will send notification of the filing to all counsel of record.

/s/ Pedro Jiménez

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## EXHIBIT A

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF PUERTO RICO**

COORS BREWING COMPANY,

Plaintiff,

v.

JUAN CARLOS MÉNDEZ TORRES,  
SECRETARY OF THE TREASURY DEPARTMENT  
OF THE COMMONWEALTH OF PUERTO RICO,

Defendant.

Civil No. 06-2150 (DRD)

**NOTICE OF APPEAL**

NOTICE IS GIVEN, pursuant to Federal Rule of Appellate Procedure 3(a) and (c), that Plaintiff Coors Brewing Company hereby appeals to the United States Court of Appeals for the First Circuit from the Judgment issued on March 30, 2011 in the instant case by the United States District Court for the District of Puerto Rico, and from the Omnibus Opinion and Order of that date upon which said Judgment was issued. The appeal filing fees are being separately forwarded to the Clerk of the Court.

Respectfully submitted on this 29th day of April, 2011.

s/ PEDRO JIMÉNEZ - USDC #121912  
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**CERTIFICATE OF SERVICE**

I hereby certify that on April 29, 2011, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF System, which will send notification to all counsel of record.

s/ PEDRO JIMÉNEZ - USDC #121912  
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