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**Honorable Rosanna Malouf Peterson**

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

HAROLD MAPLE, Individually and  
on behalf of all others similarly  
situated,

Plaintiff,  
v.

COSTCO WHOLESALE  
CORPORATION, a Washington  
corporation; NIAGARA BOTTLING  
LLC, a California limited liability  
company; and DOES1-100,  
inclusive,

Defendants.

No. 2:12-cv-05166-RMP

NOTICE OF CIVIL APPEAL  
AND  
REPRESENTATION STATEMENT

[CLERK’S ACTION REQUIRED]

Notice is hereby given that HAROLD MAPLE (“Appellant”), individually  
and on behalf of all others similarly situated, appeals to the United States Court  
of Appeals for the Ninth Circuit from *Order Granting Defendant’s Motion to*

1 *Dismiss Plaintiff's Second Amended Complaint* (Dkt. No. 102) entered in this action  
2 on November 1, 2013, and from *Judgment in a Civil Action* (Dkt. No. 103) entered  
3 in this action on November 1, 2013.

4 DATED this 19<sup>th</sup> day of November, 2013.

5 DEARMIN FOGARTY PLLC

6 s/Paul E. Fogarty

7 Paul E. Fogarty, WSBA No. 26929

8 Mary C. Przekop, WSBA No. 44855

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13 Attorneys for Appellant Harold Maple

**REPRESENTATION STATEMENT**

**Parties to the Action:**

**Counsel:**

**Plaintiff:**

HAROLD MAPLE, Individually  
and on behalf of all others  
similarly situated

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CERTIFICATE OF SERVICE

I hereby certify that on November 19, 2013, I caused to be served a true and correct copy of the foregoing Notice of Civil Appeal, by the method indicated below, and addressed to the following:

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