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9 *Attorneys for Plaintiff*

10
11 UNITED STATES DISTRICT COURT
12 NORTHERN DISTRICT OF CALIFORNIA
13 SAN JOSE DIVISION
14

15 PHYLLIS GUSTAVSON, individually and on
behalf of all others similarly situated,

16 Plaintiff,

17 v.

18 WRIGLEY SALES COMPANY, AND
19 WM. WRIGLEY JR. COMPANY,

20 Defendants.
21

Case No. 12-cv-01861 (LHK)

**PLAINTIFF’S NOTICE OF APPEAL
WITH NINTH CIRCUIT RULE 3-2
REPRESENTATION STATEMENT**

22
23 Notice is hereby given that Plaintiff, Phyllis Gustavson, individually and on behalf of all
24 others similarly situated, appeals to the United States Court of Appeals for the Ninth Circuit the
25 January 7, 2014 Order Granting Defendants’ Motion to Dismiss Second Amended Complaint
26 (Dkt. 90) and subsequent January 8, 2014 Judgment (Dkt. 91) of the United States District Court
27 for the Northern District of California dismissing Plaintiff’s Second Amended Complaint with
28 prejudice and entering judgment in favor of Defendants.

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Dated: February 5, 2014

Respectfully submitted,

/s/Ben F. Pierce Gore
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RULE 3-2 REPRESENTATION STATEMENT

1. Plaintiff-Appellant, Phyllis Gustavson, is represented by:

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2. All Defendants-Appellees, WRIGLEY SALES COMPANY, AND WM. WRIGLEY JR. COMPANY, are represented by:

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Dated: February 5, 2014

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Attorneys for Plaintiff-Appellant

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CERTIFICATE OF SERVICE BY CM/ECF

I hereby certify that on February 5, 2014, I served PLAINTIFF’S NOTICE OF APPEAL AND NINTH CIRCUIT RULE 3-2 REPRESENTATION STATEMENT by electronically filing the foregoing document listed above by using the Case Management/ Electronic Case filing system. I further certify that all participants in the case are registered CM/ECF users and that service will be accomplished by the court’s CM/ECF system.

/s/ Pierce Gore
Pierce Gore