

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

NICK PEARSON, FRANCISCO PADILLA,
CECILIA LINARES, AUGUSTINA BLANCO,
ABEL GONZALEZ, and RICHARD
JENNINGS,
On Behalf of Themselves and All Others
Similarly Situated,

Plaintiffs,

v.

NBTY, INC., a Delaware corporation; and
REXALL SUNDOWN, INC., a Florida
corporation; TARGET CORPORATION, a
Minnesota Corporation

Defendants.

THEODORE H. FRANK,

Objector.

Case No. 11-CV-07972

CLASS ACTION

Hon. James B. Zagel

NOTICE OF APPEAL

Notice is hereby given that class member Theodore H. Frank hereby appeals to the United States Court of Appeals for the Seventh Circuit from the Court's Final Judgment and Order entered on August 25, 2016 (Dkt. 288), and all opinions and orders that merge therein.

Dated: October 4, 2016.

/s/ Melissa A. Holyoak
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CERTIFICATE OF SERVICE

The undersigned certifies she electronically filed the foregoing Notice of Appeal via the ECF system for the Northern District of Illinois, thus effecting service on all attorneys registered for electronic filing. Additionally, she caused to be served via First-Class mail a copy of this Notice upon the following:

Peggy Thomas Simone Thomas 2109 N.W. 12th Avenue Ft. Lauderdale, FL 33311	Melissa Rachel Pavely Stein, Ray & Harris LLP 222 West Adams Street Suite 1800 Chicago IL 60606
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Dated: October 4, 2016

/s/ Melissa Holyoak