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Counsel for Plaintiff and the Putative Class

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

SHANA BECERRA, on behalf of herself,
all others similarly situated, and the general
public,

Plaintiff,

v.

DR PEPPER/SEVEN UP, INC.,

Defendant.

Case No. 3:17-cv-05921-WHO

PLAINTIFF'S NOTICE OF APPEAL

Judge: Hon. William H. Orrick

1 TO THE COURT, ALL PARTIES, AND THEIR COUNSEL OF RECORD:

2 PLEASE TAKE NOTICE THAT, plaintiff Shana Becerra hereby appeals to the United
3 States Court of Appeals for the Ninth Circuit, the Court's August 21, 2018 Order Granting
4 Motion to Dismiss (Dkt. No. 75).

5 A service list for the appeal is set forth below.

6
7 Dated: September 11, 2018 Respectfully submitted,

8 /s/ Jack Fitzgerald

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SERVICE LIST FOR APPEAL

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United States Court of Appeals for the Ninth Circuit
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San Francisco, California 94119-3939
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Molly C. Dwyer
Clerk of Court

September 12, 2018

No.: 18-16721
D.C. No.: 3:17-cv-05921-WHO
Short Title: Shana Becerra v. Dr Pepper/Seven Up, Inc.

Dear Appellant/Counsel

A copy of your notice of appeal/petition has been received in the Clerk's office of the United States Court of Appeals for the Ninth Circuit. The U.S. Court of Appeals docket number shown above has been assigned to this case. You must indicate this Court of Appeals docket number whenever you communicate with this court regarding this case.

Please furnish this docket number immediately to the court reporter if you place an order, or have placed an order, for portions of the trial transcripts. The court reporter will need this docket number when communicating with this court.

The due dates for filing the parties' briefs and otherwise perfecting the appeal have been set by the enclosed "Time Schedule Order," pursuant to applicable FRAP rules. These dates can be extended only by court order. Failure of the appellant to comply with the time schedule order will result in automatic dismissal of the appeal. 9th Cir. R. 42-1.

UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

FILED

SEP 12 2018

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

SHANA BECERRA, on behalf of
herself, all others similarly situated, and
the general public,

Plaintiff - Appellant,

v.

DR PEPPER/SEVEN UP, INC.,

Defendant - Appellee.

No. 18-16721

D.C. No. 3:17-cv-05921-WHO
U.S. District Court for Northern
California, San Francisco

TIME SCHEDULE ORDER

The parties shall meet the following time schedule.

If there were reported hearings, the parties shall designate and, if necessary, cross-designate the transcripts pursuant to 9th Cir. R. 10-3.1. If there were no reported hearings, the transcript deadlines do not apply.

Wed., September 19, 2018 Mediation Questionnaire due. If your registration for Appellate ECF is confirmed after this date, the Mediation Questionnaire is due within one day of receiving the email from PACER confirming your registration.

Thu., October 11, 2018 Transcript shall be ordered.

Tue., November 13, 2018 Transcript shall be filed by court reporter.

Thu., December 20, 2018 Appellant's opening brief and excerpts of record shall be served and filed pursuant to FRAP 31 and 9th Cir. R. 31-2.1.

Tue., January 22, 2019 Appellee's answering brief and excerpts of record shall be served and filed pursuant to FRAP 31 and 9th Cir. R. 31-2.1.

The optional appellant's reply brief shall be filed and served within 21 days of service of the appellee's brief, pursuant to FRAP 31 and 9th Cir. R. 31-2.1.

Failure of the appellant to comply with the Time Schedule Order will result in automatic dismissal of the appeal. See 9th Cir. R. 42-1.

FOR THE COURT:

MOLLY C. DWYER
CLERK OF COURT

By: Ruben Talavera
Deputy Clerk
Ninth Circuit Rule 27-7