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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

SHAWNNA MONTES, for herself as a private attorney general, and on behalf of all others similarly situated,

Plaintiff,

v.

CATALYST BRANDS LLC, SPARC GROUP LLC, and PENNEY OPCO LLC,

Defendants.

Case No. 2:25-cv-00281-TOR

DEFENDANTS' NOTICE OF APPEAL

Notice is hereby given that Defendants Catalyst Brands LLC, Sparc Group LLC, and Penney OpCo LLC (collectively, "Defendants") hereby appeal to the United States Court of Appeals for the Ninth Circuit from this Court's Order on Defendants' Motion to Dismiss First Amended Complaint entered in this action on December 4, 2025 (Dkt. 14) and from this Court's Judgment entered in this action on December 4, 2025 (Dkt. 15).

Defendants' Representation Statement is attached to this Notice as required by Ninth Circuit Rule 3-2.

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Dated: December 19, 2025

Respectfully submitted,

/s/ David R. Ebel

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REPRESENTATION STATEMENT

The following table identifies all parties to the action and their respective counsel:

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CERTIFICATE OF SERVICE

I hereby certify that on the 19th day of December 2025, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF System, which in turn automatically generated a Notice of Electronic Filing (NEF) to the following parties in the case who are registered users of the CM/ECF system:

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