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6 UNITED STATES DISTRICT COURT

7 CENTRAL DISTRICT OF CALIFORNIA , SOUTHERN DIVISION

8 U.S. COMMODITY FUTURES TRADING)
COMMISSION,)

CASE NO.: SACV 07-1437 CJC

9 Plaintiff,)

NOTICE OF APPEAL

10 v.)

[Honorable District Court Judge Cormac J.
Carney]

11 FOREX LIQUIDITY LLC,)

12 Defendant.)

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16 **TAKE NOTICE** that **ROBERT GRAY**, (hereinafter referred to as "Gray"), the Applicant
17 for Intervention in the above-named case, by and through his undersigned counsel, hereby appeals to
18 the United States Court of Appeals for the 9th Circuit from an Order Denying his Motion to
19 Intervene, entered in this action on the 14TH day of July, 2008, and an Order denying his Objections
20 to the Plan of Distribution of the Receiver, entered on the 14th day of July, 2008.
21

22
23 Dated this 17th day of June, 2008

By: /s/ David E. Kenner, Esq.
David E. Kenner, Esq.
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1 PROOF OF SERVICE

2 STATE OF CALIFORNIA

3 COUNTY OF LOS ANGELES

4 I am employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action; my business address is:

5 KENNER LAW FIRM, APC
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9 818 475 5369 – fax

10 On July 17, 2008, I served the foregoing document described as Notice of Appeal, on the interested parties by:

11 SEE ATTACHED SERVICE LIST

12 x BY MAIL - I deposited such envelope in the mail at Los Angeles County, California. The envelope was mailed with postage thereon fully prepaid.

13 x BY CM/ECF NOTICE OF ELECTRONIC FILING - I caused said document(s) to be served by means of this Court's electronic transmission of the Notice of Electronic Filing through the Court's transmission facilities, to the parties and/or counsel who are registered CM/ECF users set forth in the service list obtained from this Court.

14 I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. Under that practice, it would be deposited with the U.S. Postal Service on that same day with postage thereon fully prepaid at Los Angeles County, California in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

15 (STATE) I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

16 (FEDERAL) I declare that I am employed in the office of a member of the bar of this Court at whose direction the service was made.

17 EXECUTED under penalty of perjury this 17th of June, 2008, at Sherman Oaks, California.

18 /s/ Brett A. Greenfield
19 Brett A. Greenfield, Esq.

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LIST OF PARTIES SERVED

Via Electronic Service and US Mail

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