

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE

GILBERTO LOPEZ, by and through the)	
CUMBERLAND TRUST AND)	
INVESTMENT COMPANY, as next friend)	3:07-CV-799
and trustee of THE GILBERTO KELLY)	
LOPEZ IRREVOCABLE TRUST,)	JURY DEMAND
)	
Plaintiff,)	Judge Echols
)	
vs.)	Magistrate Judge Griffin
)	
GENESIS LEARNING CENTERS,)	
)	
Defendant.)	

NOTICE OF APPEAL

Notice is hereby given that Plaintiff Gilberto Lopez, by and through the Cumberland Trust and Investment Company, as next friend and trustee of The Gilberto Kelly Lopez Irrevocable Trust, appeals to the United States Court of Appeals for the Sixth Circuit from the following:

1. Order granting Defendant's Motion for Summary Judgment, in part, with respect to Plaintiff's claim against Genesis Learning Centers under 42 U.S.C. §1983, which was entered by the Court on July 7, 2009 (Order, Doc. 460); and,
2. Order denying Plaintiff's Motion for New Trial, which was entered by the Court on June 3, 2010 (Order, Doc. 588).

Respectfully submitted,

**BLACKBURN, McCUNE,
HAPPELL & ZENNER, PLLC**

s/ John Ray Clemmons
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Counsel for Plaintiff

CERTIFICATE OF SERVICE

I certify that a true and exact copy of the foregoing “NOTICE OF APPEAL” has been served via the CM/ECF electronic filing system, on the following:

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Counsel for Defendant

on this the 16th day of June, 2010.

s/ John Ray Clemmons
John Ray Clemmons