

**THE UNITED STATES DISTRICT COURT
FOR
THE NORTHERN DISTRICT OF NEW YORK**

DAVID PRICE, as a candidate for the position for Albany County Republican Committeeman from the 14th Ward 6th District, City of Albany, THE ALBANY COUNTY REPUBLICAN COMMITTEE, MARTHA MCMAHON AND JAMES THORNTON, Absentee Voters

- against -

Index No. 06-cv-1083

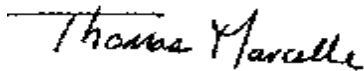
THE NEW YORK STATE BOARD OF ELECTION, NEIL W. KELLEHER (in his official capacity as a Commissioners of The New York State Board of Elections), DOUGLAS A. KELLNER (in his official capacity as a Commissioners of The New York State Board of Elections), EVELYN J. AQUILA (in her official capacity as a Commissioners of The New York State Board of Elections), AND HELENA MOSES DONOHUE (in her official capacity as a Commissioners of The New York State Board of Elections), Defendants.

NOTICE OF APPEAL

SIR:

PLEASE TAKE NOTICE that all of the plaintiffs in the above captioned action, hereby appeals to the United States Court of Appeals for the Second Circuit from an denying plaintiffs summary judgment and granting defendants' cross-motion to dismiss the action (Sharpe, J.) entered in this action on October 22, 2007.

Dated: November 19, 2007



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