

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION**

NOTICE OF APPEAL

Notice is hereby given that the United States Department of Housing and Urban Development, a Defendant in the above named case, hereby appeals to the United States Court of Appeals for the Eighth Circuit from the Court's order entered under seal in this action on the fourteenth day of July, 2008, and designated by the docket number 438.

Respectfully submitted,

John F. Wood
United States Attorney

By: */s/ Charles M. Thomas*

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CERTIFICATE OF SERVICE

I hereby certify that on this 10th day of October, 2008, the foregoing was electronically filed with the Clerk of the Court using the CM/ECF system which sent notification of such filing to the following. Copies hereof and its attachments were also e-mailed this date to:

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