## 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 frie	end ) 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.	

Respectf

## **NOTICE OF CROSS APPEAL**

Notice is hereby given that Defendant Genesis Learning Centers, by and through counsel, cross appeals to the United States Court of Appeals for the Sixth Circuit from the District Court's Order denying Genesis Learning Centers' Motion for Attorney's Fees, which was entered by the Court on June 3, 2010 (Docket Entry No. 588).

ully submitted,

	s/ James K. Simms, IV
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Genesis	Learning Centers

## **CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing was filed electr onically on this 30th day of June, 2010. Notice of this filing will be sent by operation of the Court's electronic filing system to all parties listed belo w. Parties m ay access this filing through the C ourt's electronic filing system.

W. Gary Blackburn, Esq. Malcolm L. McCune, Esq. John Ray Clemmons, Esq. Blackburn and McCune, PLLC 101 Lea Avenue Nashville, TN 37210

> s/ James K. Simms, IV James K. Simms, IV