

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK  
Office of the Clerk  
U.S. Courthouse  
500 Pearl Street, New York, New York 10007

707051 8455 NOV 24 2009

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In re :  
CURRENCY CONVERSION FEE :  
ANTITRUST LITIGATION :  
-----X

Re MDL No. 1409 (WHP)

**NOTICE OF APPEAL**

RECEIVED  
NOV 24 2009  
CLERK OF COURT  
U.S. DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

Notice is hereby given that objector Herbert A. Berger hereby appeals to the United States Court of Appeals for the Second Circuit from this Court's October 22, 2009 Opinion and Order in this action granting plaintiffs' motion for an order of final approval of the settlement, plan allocation, and class certification, and granting in part, the plaintiffs' motion for an award of attorneys' fees and expenses and PSLRA awards [DE 755], and the Final Judgment, entered November 4, 2009 [DE 763].

Dated: November 24, 2009  
New York, New York

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MDL No. 1409

**AFFIRMATION OF SERVICE**

I ASHLEY HUGHES declare under penalty of perjury that I have served by email a copy of the attached NOTICE OF APPEAL for Objector Herbert Berger upon:

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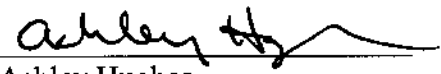
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Dated: November 25, 2009  
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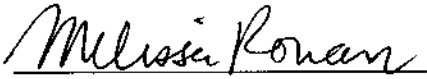
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I MELISSA RONAN declare under penalty of perjury that I have served by email a copy of the attached NOTICE OF APPEAL for Objector Herbert Berger upon:

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Dated: November 24, 2009  
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