

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION**

IN RE CP SHIPS LTD.,
SECURITIES LITIGATION

MDL DOCKET NO. 1656

Case Nos.:

8:04-cv-01895-JDW-TBM

8:04-cv-01949-JDW-TBM

8:04-cv-02140-JDW-TBM

8:05-cv-00492-JDW-TBM

8:05-cv-00495-JDW-TBM

8:05-cv-00849-JDW-TBM

8:05-cv-01919-JDW-TBM

(Document Electronically Filed)

Jury Trial Demanded

NOTICE OF APPEAL

NOTICE is hereby given that Lead Plaintiffs Jack Mayer, Beatrice Mayer, William Racht, Arlan Marshall and Shaun N. Rai, through their attorneys, on behalf of themselves and all other persons similarly situated, hereby appeal in the above named case to the United States Court of Appeals for the Eleventh Circuit from the Order entered on the docket in this case on April 6, 2007 (docket number 85) which grants Defendants' motion to dismiss. Notwithstanding the fact that the Court has yet to issue a judgment terminating this action, we file this notice of appeal out of an abundance of caution and we reserve the right to re-file a subsequent notice of appeal should it be asserted that this notice of appeal was entered prior to the entry of an appealable order by the Court.

Dated: June 20, 2007

Respectfully submitted,

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 20th day of June, 2007, I presented the foregoing Notice of Appeal to the Clerk of the Court for filing and uploading to the CM/ECF system. I further certify that on the same date I mailed the foregoing document to the non-ECF participants on the Service List below.

s/ Ariel Acevedo
Ariel Acevedo

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