

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

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IN RE H&R BLOCK SECURITIES LITIGATION	)	Case No. 06-0236-CV-W-ODS
	)	
	)	
	)	

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**NOTICE OF APPEAL**

NOTICE IS HEREBY GIVEN that Lead Plaintiff Horizon Asset Management, Inc. ("Lead Plaintiff") hereby appeals to the United States Court of Appeals for the Eighth Circuit from the Order and Opinion entered on February 19, 2008 dismissing Lead Plaintiff's First Amended Consolidated Class Action Complaint for Violations of the Federal Securities Laws (Docket No. 115) and the judgment entered on February 19, 2008 (Docket No. 116).

Dated: March 10, 2008

Respectfully submitted,

**GOLD BENNETT CERA & SIDENER LLP**

/s/ Solomon B. Cera

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ATTORNEYS FOR LEAD PLAINTIFF  
HORIZON ASSET MANAGEMENT, INC.

**CERTIFICATE OF SERVICE**

Plaintiffs' counsel hereby certifies that on March 11, 2008, the foregoing was electronically filed with the Clerk of Court using the CM/ECF system, which sent notification of such filing to the counsel of record.

\_\_\_\_\_  
*/s/ Patrick J. Stueve*  
Patrick J. Stueve

U.S. COURT OF APPEALS - EIGHTH CIRCUIT  
APPELLANT'S FORM A  
Appeal Information Form  
To be filed with the Notice of Appeal

Appeal Docket No. \_\_\_\_\_

STYLE OF CASE:

IN RE H&R BLOCK SECURITIES  
LITIGATION

Appellant/Appellee,

vs.

COUNSEL: NAME, ADDRESS, AND TELEPHONE NUMBER

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LIST ISSUES ON APPEAL(For administrative purposes). You may indicate that this also serves as your statement of issues under FRAP 10(b)(3).  Yes.  No.

Whether the District Court committed legal error in granting defendants' motions to dismiss with prejudice pursuant to Rule 12(b), Fed.R.Civ.P., for failure to state a claim, where Lead Plaintiff adequately alleged all elements of the claim under Section 10(b) of the Securities Exchange Act of 1934, 15 U.S.C. §78j(b).

FOR LEAD COUNSEL ONLY

I  have ( have not) discussed settlement possibilities on appeal with my client.

This appeal  is ( is not ) amenable to settlement. **unknown**

Submitted by: s/ Solomon B. Cera  
Signature of Lead Counsel

3/10/08  
Date

INSTRUCTIONS:

Filing of appellant's Form A is required to be submitted to the Clerk of the District Court with the Notice of Appeal (8 Cir. Rule 3B). If inadvertently omitted, appellant may file Form A directly with the Clerk of the Court of Appeals before appeal is docketed. Forms are available at the District Court Clerk's Office and may be obtained electronically at:

[www.ca8.uscourts.gov](http://www.ca8.uscourts.gov)

Copy 1 - Send to Appellee (together with an uncompleted Form B)

Copy 2 & 3 - Send to Clerk, District Court with Notice of Appeal or Eighth Circuit (see above)

Copy 4 - Retain