

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

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 derivative plaintiffs Iron Workers Local 16 Pension Fund and Momentum Partners hereby appeal to the United States Court of Appeals for the Eight Circuit from the Order dated November 3, 2006 appointing Lead Plaintiff (Docket No. 48), the Order dated March 27, 2007 denying the derivative plaintiffs' Motion for Reconsideration (Docket No. 79), and from the judgment entered on February 19, 2008 (Docket No. 116).

Dated: March 18, 2008

Respectfully submitted,

s/ Jason M. Kueser
THE NYGAARD LAW FIRM
Diane A. Nygaard (MO Bar # 47240)
Jason M. Kueser (MO Bar # 57453)
9200 Ward Parkway, Suite 550
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Local Counsel for Plaintiffs

**LABATON SUCHAROW,
LLP**

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Fax: (212) 818-0477

Counsel for Plaintiff Iron Workers

PASKOWITZ & ASSOCIATES

Laurence D. Paskowitz
60 East 42nd Street—46th Floor
New York, New York 10165
Phone: (212) 685-0969

Counsel for Plaintiff Momentum

CERTIFICATE OF SERVICE

Plaintiffs' counsel hereby certifies that on March 18, 2008, the foregoing was electronically filed with the Clerk of Court using the CM/ECF system which sent notification of such filing to counsel of record.

s/ Jason M. Kueser _____
Jason M. Kueser

U.S. COURT OF APPEALS - EIGHTH CIRCUIT

APPELLANT'S FORM A

Appeal Docket No. _____

Appeal Information Form

To be filed with the Notice of Appeal

STYLE OF CASE:

IN RE H&R BLOCK SECURITIES LITIGATION

COUNSEL: NAME, ADDRESS, AND TELEPHONE NUMBER

LABATON SUCHAROW, LLP
Ira A. Schochet
Michael W. Stocker
140 Broadway
New York, New York 10005
Phone: (212) 907-0700; Fax (212) 818-0477

Appellant/Appellee,

vs.

COUNSEL: NAME, ADDRESS, AND TELEPHONE NUMBER

THE NYGAARD LAW FIRM
Diane A. Nygaard (MO Bar #47240)
Jason M. Kueser (MO Bar # 57453)
9200 Ward Parkway, Suite 550
Kansas City, Missouri 64114
Phone: (816) 531-3100

Appellant/Appellee

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 erred in: (1) granting Orders consolidating securities class actions against a company and derivative actions on behalf of a company and appointing the securities class' counsel as lead counsel, creating a conflict of interest and denying the derivative class due process rights of adequate representation; (2) denying the derivative class' Motion for Reconsideration of this Order; and (3) entering a Judgment which has the effect of extinguishing the derivaive clams.

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/ Ira A. Schochet
Signature of Lead Counsel

3/18/2006
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

- 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

U.S. COURT OF APPEALS - EIGHTH CIRCUIT

APPELLANT'S FORM A

Appeal Docket No. _____

Appeal Information Form

To be filed with the Notice of Appeal

STYLE OF CASE:

COUNSEL: NAME, ADDRESS, AND TELEPHONE NUMBER

IN RE H&R BLOCK SECURITIES
LITIGATION

THE NYGAARD LAW FIRM
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Appellant/Appellee,

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60 East 42nd Street—46th Floor
New York, New York 10165
Phone: (212) 685-0969

Appellant/Appellee

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FOR LEAD COUNSEL ONLY

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Submitted by: s/ Laurence D. Paskowitz

3/18/2006

Signature of Lead Counsel

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:

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