

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE No. CASE NO. 09-MD-02036-JLK

IN RE:

CHECKING ACCOUNT
OVERDRAFT LITIGATION.

MDL NO. 2036

THIS DOCUMENT RELATES TO
FIRST TRANCHE TRANSACTIONS

Tornes, et al. v. Bank of Am., N.A.,
S.D. Fla. Case No. 1:08-cv-23323-JLK

Yourke, et al. v. Bank of Am., N.A.,
S.D. Fla. Case No. 1:09-cv21963-JLK
N.D. Cal. Case No. 3:09-2186

NOTICE OF APPEAL

Notice is hereby given that Kirk A. Kennedy and Marvelus Sattiewhite III, class members of the above referenced Plaintiffs' class, and timely objectors to the class action settlement, appeal to the United States Court of Appeals for the Eleventh Circuit this Court's (i) Final Judgment [D.E. 2151] and (ii) Order of Final Approval of Settlement, Authorizing Service Awards, Granting Application for Attorney's Fees, and Overruling Objections to Settlement [D.E. 2150], both of

which were entered by the Court on November 22, 2011. Copies are filed herewith as Exhibit 1 and Exhibit 2, respectively.

Respectfully submitted,

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