

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF FLORIDA**

RICHARD FRESCO, CARLOS BARRETT, JEFFREY  
HY, MARY ANN COLLIER, ROY MCGOLDRICK,  
ROBERT PINO, KENNETH HERETICK, RUSSELL V.  
ROSE AND JOEL LEVINE

Plaintiffs

v.

R.L. Polk & Co. and Acxiom Corp.  
Defendants

**CASE NO. 07-cv-60695-JEM**

**NOTICE OF APPEAL**

Notice is hereby given that Anthony Pio and Jacqueline Pio, non-named members of the Plaintiff class who objected to the settlement in the above named case, hereby appeal to the United States Court of Appeals for the Eleventh Circuit from the Final Judgment entered in this action on July 28, 2010 Document No. 151.

*/s/ Nicolas J. Gutierrez, Jr.*  
*Nicolas J. Gutierrez, Jr.*  
Nicolas J. Gutierrez, Jr.  
Gutierrez & Zarraluqui, LLP  
283 Catalonia Ave., Suite 200  
Coral Gables, FL 33134  
Ph: (305) 397-2005

John J. Pentz, *pro hac vice nunc pro tunc pending*  
Clasaxn@earthlink.net  
2 Clock Tower Place, Suite 260G  
Maynard, MA 01754  
Ph: (978) 461-1548  
Fax: (707) 276-2925  
Attorneys for Anthony Pio, and Jacqueline Pio

**CERTIFICATE OF SERVICE**

I hereby certify that a true copy of the foregoing has been served via transmission of Notices of Electronic Filing generated by CM/ECF on August 20, 2010 and was filed with the Clerk of Court using CM/ECF.

By: /s/ Nicolas J. Gutierrez