

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

..... X  
IN RE APPLICATION TO QUASH :  
SUBPOENAS TO DAILY NEWS, L.P., : No. 10 M8-85  
AND GEORGE RUSH :  
..... X

**NOTICE OF APPEAL**

PLEASE TAKE NOTICE that Daily News, L.P. and George Rush (the "Daily News Parties"), movants in the above-captioned ancillary proceeding, hereby appeal to the United States Court of Appeals for the Second Circuit from the Order dated June 23, 2010 (Stein, J.), and entered on June 25, 2010, adjudging them in civil contempt of the Memorandum and Order entered on May 21, 2010 (McKenna, J.) by reason of the Daily News Parties' refusal to consent to the production of certain newsgathering material that was ordered to be produced in the May 21 Order. The Daily News Parties also hereby appeal to the United States Court of Appeals for the Second Circuit from the Memorandum and Order entered on May 21, 2010 (McKenna, J.).

Dated: New York, New York  
June 28, 2010

Respectfully submitted,

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