

**IN THE UNITED STATES DISTRICT COURT FOR
THE SOUTHERN DISTRICT OF NEW YORK**

ADAR BAYS, LLC.,

Plaintiff,

v.

GeneSys ID, Inc.

Defendants.

Case No. 1:17-cv-01175

District Judge Andrew L. Carter, Jr.

DEFENDANT'S NOTICE OF APPEAL

Notice is hereby given that Defendant in the above-captioned action hereby appeals to the United States Court of Appeals for the Second Circuit from the decision and order of the District Court entered in this action on September 20, 2018 at docket entry #62, granting Plaintiff's motion for summary judgment on its breach of contract claim and denying Defendant's motion to dismiss the case pursuant to F.R.C.P. 12(c). 28 U.S.C. §1291.

Respectfully submitted, this the 12th day of October, 2018.

By: /s/ Mark R. Basile

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CERTIFICATE OF SERVICE

I hereby certify that on October 12, 2018, I electronically filed the foregoing Defendant's Notice of Appeal with the Clerk of the United States District Court for the Southern District of New York using the CM/ECF system, which will send notification of such filing to the following counsel of record:

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