IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF MARYLAND SOUTHERN DIVISION

CHAMBER OF COMMERCE OF THE UNITED STATES OF AMERICA, et al.,

Plaintiffs,

Civil Action No. AW-08-3444

JANET NAPOLITANO, et al.,

v.

Defendants.

PLAINTIFFS' NOTICE OF APPEAL

Notice is hereby given that Plaintiffs Chamber of Commerce of the United States of America; Associated Builders and Contractors, Inc.; Society for Human Resource Management; American Council on International Personnel; and HR Policy Association (collectively, "Plaintiffs") hereby appeal to the United States Court of Appeals for the Fourth Circuit from the final order of this Court entered on August 26, 2009, denying Plaintiffs' motion for summary judgment and granting Defendants' crossmotion for summary judgment.

Dated: August 31, 2009 Respectfully submitted,

PROSKAUER ROSE LLP

By: s/James F. Segroves Lawrence Z. Lorber (Bar No. 15110) Malcolm J. Harkins III James F. Segroves (Bar No. 17268) 1001 Pennsylvania Avenue, NW Suite 400 South Washington, DC 20004-2533 202.416.6800 202.416.6899 (fax)

David M. Grunblatt One Newark Center Newark, NJ 07102-5211 973.274.3200 973.274.3299 (fax)

Counsel for Plaintiffs Chamber of Commerce of the United States of America; Associated Builders and Contractors, Inc.; Society for Human Resource Management; American Council on International Personnel; and HR Policy Association