

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION**

ALLIED LOMAR, INC.	§	Civil Action No.: 1:14-cv-01078-SS
	§	
Plaintiff and Counter-Defendant,	§	
	§	
v.	§	
	§	
LONE STAR DISTILLERY, LLC DBA	§	
GARRISON BROTHERS DISTILLERY;	§	
and DOES 1 THROUGH 10	§	
	§	
Defendant and Counter-Claimant.	§	
	§	

**PLAINTIFF ALLIED LOMAR, INC.'S
NOTICE OF APPEAL TO UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT**

Notice is hereby given that Plaintiff Allied Lomar, Inc. (“Allied”), in the above-captioned case, hereby appeals to the United States Court of Appeals for the Fifth Circuit pursuant to Federal Rules of Appellate Procedure 3 and 4 from the Judgment (ECF 170), entered in this action in the United States District Court for the Western District of Texas, Austin Division, on the 24th day of January, 2017, and from any and all other judgments, orders, opinions, decisions, rulings, and findings subsidiary thereto, subsumed therein, or subsequent thereto, including, without limitation, the district court’s decision (ECF 141), entered in this action on the 1st day of December 2016, granting Defendant Lone Star Distillery, LLC’s (“Lone Star”) Second Motion in Limine, and subsequent exclusions of evidence, jury instructions, and verdict form, and the district court’s decision to deny Allied’s motion for judgment as a matter of law (ECF 155) at trial.

Dated: February 22, 2017

Respectfully submitted,

GORDON & REES LLP

By: /s/ Robert P. Andris
Robert P. Andris (*Pro Hac Vice*)
Michael D. Kanach (*Pro Hac Vice*)
Molly A. Jones (*Pro Hac Vice*)
Philip Robert Brinson (SBN 00787139)
Attorneys for Plaintiff and Counter-
Defendant ALLIED LOMAR, INC

CERTIFICATE OF CONFERENCE

Pursuant to Local Rule CV-7(i), I hereby certify that all counsel of record met and conferred in a good-faith attempt to resolve the matter by agreement prior to the filing of this notice to discuss the notice and counsel were unable to resolve the issues raised in this notice.

/s/ Robert P. Andris

Robert P. Andris (*Pro Hac Vice*)

CERTIFICATE OF SERVICE

I hereby certify that all counsel of record who are deemed to have consented to electronic service are being served this 22rd day of February, 2017, with a copy of this document via the Court's CM/ECF system. Any other counsel of record will be served by electronic mail, facsimile transmission, and/or first class mail on this same date.

/s/ Robert P. Andris

Robert P. Andris (*Pro Hac Vice*)