

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

FEDERAL TRADE COMMISSION,)	
)	
Plaintiff,)	
)	
vs.)	Civil Action No. 07-cv-352 JB/ACT
)	
WESTERN REFINING, INC.,)	
et al.,)	
)	
Defendants.)	

NOTICE OF APPEAL

Plaintiff Federal Trade Commission hereby notices the appeal of the Court's May 29, 2007, Order denying the Commission's Motion for a Preliminary Injunction.

Electronically Filed

Dated: May 29, 2007

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 29th day of May, 2007, I filed the foregoing electronically through the CM/ECF system.

I FURTHER CERTIFY that on such date I served the foregoing on the following counsel via electronic mail:

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_____/s/_____
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