

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY

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COMMODITY FUTURES TRADING :
COMMISSION, :

Civil Action No. 04-1512

Plaintiff,

vs.

JOINT NOTICE OF APPEAL

EQUITY FINANCIAL GROUP LLC, TECH
TRADERS, INC., TECH TRADER, LTD.,
MAGNUM CAPITAL INVESTMENTS, LTD.,
VINCENT J. FIRTH, ROBERT W. SHIMER,
COYT E. MURRAY, & J. VERNON ABERNETHY

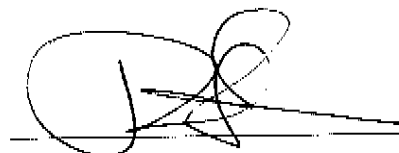
Defendants.

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Notice is hereby given that Robert W. Shimer ("Shimer") a defendant acting *pro se* and Vincent J. Firth ("Firth") a defendant also acting *pro se* in the above named case hereby jointly appeal to the United States Court of Appeals for the Third Circuit from the order of the New Jersey District Court dated December 18, 2006 and entered on December 19, 2006 denying their respective Motions for Reconsideration of their previous separate motions for summary judgment dated April 6, 2006 with respect to all counts of Plaintiff's First Amended Complaint dated June 24, 2004.

Notice is hereby given that Robert W. Shimer ("Shimer") defendant acting *pro se* and Vincent J. Firth ("Firth") a defendant also acting *pro se* in the above named case hereby jointly appeal to the United States Court of Appeals for the Third Circuit from the order of the New Jersey District Court dated December 18, 2006 and entered on December 19, 2006 granting summary judgment in favor of Plaintiff that Shimer and Firth both violated 7 U.S.C. § 6o(1)(B) and 7 U.S.C. § 6k(2).

Notice is also hereby given that Robert W. Shimer ("Shimer") defendant acting *pro se* and Vincent J. Firth ("Firth") a defendant also acting *pro se* in the above named case hereby jointly appeal to the United States Court of Appeals for the Third Circuit from the order of the New Jersey District Court dated December 18, 2006 and entered on December 19, 2006 granting summary judgment in favor of Plaintiff that the separate defendant Equity Financial Group, LLC ("Equity") violated 7 U.S.C. § 2(a)(1)(B) by reason of the district court's finding that defendants Shimer and Firth violated 7 U.S.C. § 6o(1)(B) and 7 U.S.C. § 6k(2) and the district court's further statement in its Order that the defendant Equity violated 7 U.S.C. § 2(a)(1)(B) by reason of Shimer and Firth's purported violation of 7 U.S.C. § 6m(1) despite the fact that the district court's Opinion dated December 18, 2006 does not conclude and the district court's accompanying Order of the same date does not elsewhere find that either Shimer or Firth ever violated 7 U.S.C. § 6m(1).

Dated: February 6, 2007



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