## IN THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF OHIO EASTERN DIVISION

TREE OF LIFE CHRISTIAN SCHOOLS,	)
Plaintiff,	) ) ) Case No. 2:11cv0009
vs. CITY OF UPPER ARLINGTON, OHIO,	) Judge Smith ) Magistrate Deavers
Defendant.	) ) )

## PLAINTIFF'S NOTICE OF APPEAL

Notice is hereby given that Plaintiff in the above-named case hereby appeals to the United States Court of Appeals for the Sixth Circuit from the District Court's Opinion and Order of August 16, 2012 and from the Judgment entered in this case on August 16, 2012.

Dated this 11th day of September, 2012.

s/ Erik W. Stanley
Erik W. Stanley\*
(Lead Trial Attorney for Plaintiff)
KS Bar No. 24326
estanley@alliancedefendingfreedom.org
Kevin Theriot
KS Bar No. 21565
ktheriot@alliancedefendingfreedom.org
Alliance Defending Freedom
15192 Rosewood
Leawood, KS 66224
(913) 685-8000 – Telephone
(913) 685-8001 – Fax
Attorneys for Plaintiff

Philip Gerth
OH Bar No. 0069475

<a href="mailto:philipgerth@att.net">philipgerth@att.net</a>
Law Office of Philip Gerth
5340 E Main Street, #208
Columbus OH 43213
(615) 856-9399 - Telephone
(615) 751-9973 - Fax
Local Counsel for Plaintiff

<sup>\*</sup>pro hac vice granted

## **CERTIFICATE OF SERVICE**

I hereby certify that on September 11, 2012, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the following:

Mark Landes Scyld Anderson Craig Mayton Isaac, Brant, Ledman & Teetor, LLP 250 East Broad Street, Suite 900 Columbus, OH 43215 Attorneys for Defendant

Jeanine A. Hummer Thomas K. Lindsey City Attorney's Office City of Upper Arlington 3600 Tremont Road Upper Arlington, OH 43221 Attorneys for Defendant

s/ Erik W. Stanley

Erik W. Stanley\* (Lead Trial Attorney for Plaintiff) KS Bar No. 24326

estanley@alliancedefendingfreedom.org

Alliance Defending Freedom 15192 Rosewood Leawood, KS 66224 (913) 685-8000 – Telephone (913) 685-8001 – Fax Attorneys for Plaintiff

<sup>\*</sup>pro hac vice granted