**IN THE UNITED STATES DISTRICT COURT**
**NORTHEN DISTRICT OF TEXAS**
**FORT WORTH DIVISION**

| | | |
|---|---|---|
| **DON YOUNGS and JUDY YOUNGS, Individually and d/b/a THE YOUNGS COMPANY** | § | |
| **Plaintiffs** | § | |
| | § | **Cause No. 4-08CV-528 Y** |
| **v.** | § | |
| | § | |
| **IVAN L. HAUGH d/b/a CONTINENTAL REALTY, INC.** | § | |
| **Defendants** | § | |

**Notice of Appeal**

Notice is hereby given that Ivan Haugh and Continental Realty, Inc. (improperly named as Ivan Haugh d/b/a Continental Realty, Inc.), Defendants in the above named case, hereby appeal to the United States Court of Appeals for the Fifth Circuit from the order entered in this action on March 18, 2009 [Document #19] in which the district court denied Defendants' motion to compel arbitration. Although the district court's order is interlocutory, the Fifth Circuit has jurisdiction over this appeal pursuant to 9 U.S.C. §16(a).

Respectfully submitted,

By: *\/s/ Leighton Durham*

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**ATTORNEYS FOR DEFENDANTS**

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that all counsel of record who are deemed to have consented to electronic service are being served with a copy of this document via the court's CM/ECF system per Local Rule CV-5(a)(3). Any other counsel of record will be served by email, facsimile transmission and/or first class mail this 30th day of March, 2009.

/s/ Leighton Durham

Leighton Durham