

**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF KENTUCKY  
CENTRAL DIVISION  
AT LEXINGTON  
CASE NO.: 5:18-CV-00351**

*Electronically Filed*

**NICHOLAS CHARLES BRIENER**

**PLAINTIFF**

**V.**

**NOTICE OF APPEAL**

**BOARD OF EDUCATION OF  
MONTGOMERY COUNTY**

**DEFENDANT**

Comes now the Plaintiff, Nicholas Breiner, by and through counsel, and Notices the Defendant Board of Education of Montgomery County of his intent to appeal the decision of the District Court tendered on January 25, 2019 (D.E. 10) granting Defendant' Motion to Dismiss the Plaintiff's Complaint (D.E. 6)

Respectfully Submitted,

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**CERTIFICATE OF SERVICE**

This certifies that a true copy of the foregoing has been served upon the following via ECF on this the 7<sup>th</sup> day of February, 2018:

Hon. John G. McNeill  
Hon. Whitney L. Stepp  
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Lexington, KY 40588-0951

/s/Edward E. Dove  
EDWARD E. DOVE