

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

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MARC S. KIRSCHNER, solely in his capacity as  
TRUSTEE of THE MILLENNIUM LENDER  
CLAIM TRUST,

Plaintiff,

-against-

J.P. MORGAN CHASE BANK, N.A., J.P. MORGAN  
SECURITIES LLC, CITIGROUP GLOBAL  
MARKETS INC., CITIBANK N.A., BMO CAPITAL  
MARKETS CORP., BANK OF MONTREAL,  
SUNTRUST ROBINSON HUMPHREY, INC., and  
SUNTRUST BANK,

Defendants.

17-Civ-06334 (PGG)(SLC)

Hon. Paul G. Gardephe

**NOTICE OF APPEAL**

PLEASE TAKE NOTICE that Marc S. Kirschner, solely in his capacity as Trustee of the Millennium Lender Claim Trust, plaintiff in the above-captioned action (the “Action”), hereby appeals to the United States Court of Appeals for the Second Circuit from the final order dated September 30, 2021 and entered in the Action on October 1, 2021 (Dkt. No. 181) denying plaintiff’s motion to file an amended complaint and from all interlocutory orders prior thereto, including but not limited to the Memorandum Opinion and Order dated and entered in the Action on May 22, 2020 (Dkt. No. 119) granting defendants’ motion to dismiss the initial complaint and the Order denying plaintiff’s remand motion entered in the Action on September 24, 2018 (Dkt. No. 38) on the basis of federal subject matter jurisdiction under the Edge Act.

Dated: New York, New York  
October 28, 2021

**WOLLMUTH MAHER & DEUTSCH LLP**

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