

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

SARAH PALIN, an individual,

Plaintiff,

– against –

THE NEW YORK TIMES COMPANY,
A New York corporation

Defendants.

No. 17 Civ. 4853

Hon. Jed S. Rakoff

ECF Case

NOTICE OF APPEAL

NOTICE IS HEREBY GIVEN that Sarah Palin, Plaintiff in this case, hereby appeals to the United States Court of Appeals for the Second Circuit from the Final Judgment entered in this action on February 15, 2022 [Doc. 171] (“Final Judgment”), inclusive (without limitation) of: the Court’s February 14, 2022 oral [Tr. Trans. at 1295-1306] and March 1, 2022 written [Doc. 196] rulings granting judgment as a matter of law under *Fed. R. Civ. P.* 50; the February 15, 2022 Jury Verdict [Doc. 173]; the December 29, 2020 Memorandum Order [Doc. 125] (applying N.Y. Civil Rights Law § 76-a, as amended on November 10, 2020, to this action); and any and all interlocutory judgments, decrees, decisions, rulings, verdicts, and opinions that merged into and became part of the Final Judgment, that are related to the Final Judgment, and upon which the Final Judgment is based.

Notice of Pending Motions Under Rule 4(a) Fed. R. App. P.

On February 28, 2022, pursuant to Local Civil Rule 6.1 and Rule 2 of the Court's Individual Rules of Practice, Plaintiff filed her Notice of Omnibus Post-Trial Motions [Doc. 195], including (among others) motions for: reconsideration under Local Civil Rule 6.3 and to alter or amend the Final Judgment under Rule 59; for new trial under Rule 59; and for relief under Rule 60. Pursuant to Rule 4(a), *Fed. R. App. P.*, the time to file this Notice of Appeal runs from the entry of the order disposing of the last remaining of these motions. However, because Plaintiff's deadline for filing her memorandum of law in support of the Omnibus Post-Trial Motions is not until March 22, 2022 [*see* March 4, 2022 Minute Entry], Plaintiff is filing this Notice of Appeal within thirty days of the Final Judgment to ensure preservation of all her appellate rights.

/s/ Shane B. Vogt

Kenneth G. Turkel (Co-Lead Counsel)

kturkel@tcb-law.com

Shane B. Vogt (Co-Lead Counsel)

svogt@tcb-law.com

TURKEL CUVA BARRIOS, P.A.

100 North Tampa Street, Suite 1900

Tampa, Florida 33602

Tel: (813) 834-9191

Fax: (813) 443-2193

and

Michael Munoz
mmunoz@golenbock.com
S. Preston Ricardo
pricardo@golenbock.com
GOLENBOCK EISEMAN ASSOR
BELL & PESKOE LLP
711 Third Avenue
New York, NY 10017
Tel: (212) 907-7300
Fax: (212) 754-0330

Counsel for Petitioner/Plaintiff
Sarah Palin

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that the foregoing Notice of Appeal was filed electronically on the 17th day of March, 2022. Notice of this filing will be sent by operation of the Court's electronic filing system to counsel of record for all parties as indicated on the electronic filing receipt. Parties and their counsel may access this filing through the Court's system.

/s/ Shane B. Vogt
Attorney for Plaintiff Sarah Palin