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IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

NICHOLAS C. SMITH-WASHINGTON,	:	
JOYCE MAHONEY, JONATHAN AMES,	:	
MATTHEW HARTZ, and JENNY LEWIS,	:	Civil Action No. 3:23-CV-830-VC
	:	
Plaintiffs,	:	<b>NOTICE OF APPEAL BY OBJECTORS</b>
	:	<b>JAMES KIRKHAM AND MATTHEW</b>
v.	:	<b>SESSOMS</b>
	:	
TAXACT, INC.,	:	
	:	
Defendant.	:	

**NOTICE OF APPEAL**

Objecting Class Members James Kirkham and Matthew Sessoms (“Objectors”) hereby appeal to the United States Court of Appeals for the Ninth Circuit from the December 30, 2024, Order Granting Motion for Final Settlement Approval (Dkt. 162), the December 30, 2024, Order Granting In Part Motion for Attorneys’ Fees (Dkt. 163), and the April 30, 2024, Order Granting Motion for Preliminary Approval of the Class Action Settlement (Dkt. 132).

Objectors are aware of one related appeal, which is presently pending in the United States Court of Appeals for the Third Circuit in *Kirkham v. TaxAct, Inc.*, No. 24-1515.

Objectors' Representation Statement is attached to this Notice as required by Ninth Circuit Rule 3-2(b).

Respectfully submitted,

COHEN, PLACITELLA & ROTH, P.C.

By: /s/ James P. Goslee  
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*Counsel to James Kirkham and Matthew Sessoms*

Dated: January 2, 2024

**REPRESENTATION STATEMENT (9TH CIR. RULE 3-2(B))**

The undersigned counsel represent Objectors and Appellants James Kirkham and Matthew Sessoms. The following list identifies all parties to the action below, and identifies their counsel by name, address, telephone number and email address.

<b>PARTIES</b>	<b>COUNSEL OF RECORD</b>
Objectors James Kirkham and Matthew Sessoms	James P. Goslee Eric S. Pasternack COHEN, PLACITELLA & ROTH, P.C. 2001 Market Street, Suite 2900 Philadelphia, PA 19103 Telephone: (215) 567-3500 Facsimile: (215) 567-6019 Email: jgoslee@cpirlaw.com epasternack@cpirlaw.com
Plaintiffs Nicholas C. Smith-Washington, Joyce Mahoney, Jonathan Ames, Matthew Hartz, and Jenny Lewis	Julian Hammond HAMMOND LAW, P.C. 1201 Pacific Ave., 6 <sup>th</sup> Floor Tacoma, WA 98402 Telephone: (310) 601-6766 Facsimile: (310) 295-2385 Email: jhammond@hammondlawpc.com  Warren D. Postman KELLER POSTMAN LLC 1101 Connecticut Ave., N.W., Suite 1100 Washington, DC 20036 Telephone: (312) 741-5220 Facsimile: (312) 971-3502 Email: wdp@kellerpostman.com  Ethan H. Ames KELLER POSTMAN LLC 150 N. Riverside Plaza, Suite 4100 Chicago, IL 60606 Telephone: (312) 741-5220 Facsimile: (312) 971-3502 Email: ethan.ames@kellerpostman.com
Defendant TaxAct, Inc.	Sheila A.G. Armbrust SIDLEY AUSTIN LLP 555 California Street, Suite 2000 San Francisco, CA 94104 Telephone: (415) 772-1200

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Respectfully submitted,

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*Counsel to James Kirkham and Matthew Sessoms*

Dated: January 2, 2024

**CERTIFICATE OF SERVICE**

I hereby certify that on January 2, 2025, I caused to be electronically filed the foregoing brief with the Clerk of the Court via CM/ECF. Notice of this filing will be delivered to all parties by operation of the Court's electronic filing system.

COHEN, PLACITELLA & ROTH, P.C.

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