

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

STAR INSURANCE COMPANY, )  
SAVERS PROPERTY & CASUALTY )  
INSURANCE COMPANY, )  
AMERITRUST INSURANCE )  
CORPORATION, and )  
WILLIAMSBURG NATIONAL )  
INSURANCE COMPANY, )  
 )  
Plaintiffs, )  
 )  
vs. )  
 )  
NATIONAL UNION FIRE )  
INSURANCE COMPANY OF )  
PITTSBURGH, PA, )  
 )  
Defendant. )

No. 2:13-cv-13807-VAR-DRG

Hon. Judge Victoria A. Roberts

Magistrate Judge David R. Grand

**NOTICE OF APPEAL**

Notice is hereby given that Defendant National Union Fire Insurance Company of Pittsburgh, PA (“National Union”) hereby appeals to the United States Court of Appeals for the Sixth Circuit from this Court’s Corrected Preliminary Injunction dated September 20, 2013 (Dkt. No. 23) (the “Corrected Preliminary Injunction”) granting Plaintiffs’ Motion for Temporary Restraining Order and for Preliminary Injunction (the “Motion”). National Union has previously filed a notice of appeal to appeal from this Court’s earlier-entered preliminary injunction order dated September 12, 2013 (Dkt. No. 14), and order

granting Plaintiffs' Motion (Dkt. 12). The Corrected Preliminary Injunction suffers from the same error as the earlier-entered preliminary injunction, namely that the Court lacked jurisdiction and authority to enjoin an ongoing arbitration proceeding between Plaintiffs and National Union and further lacked jurisdiction and authority to enjoin the arbitration panel – non-parties to the proceedings before the Court – from issuing its final award. The Court also erred in holding that Plaintiffs would suffer irreparable harm absent such an injunction; that Plaintiffs were likely to succeed on the merits of their claim; and that the public interest favored issuance of the Corrected Preliminary Injunction. National Union therefore also appeals, pursuant to 28 U.S.C. § 1292 and 9 U.S.C. § 16, from the Corrected Preliminary Injunction. On appeal, National Union prays that the Court's Corrected Preliminary Injunction be reversed.

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Dated: September 23, 2013

**CERTIFICATE OF SERVICE**

I hereby certify that on September 23, 2013, I electronically filed the foregoing paper with the Clerk of the Court using the ECF system which will send notification of such filing to all counsel of record. Exhibits filed under seal will be served via email.

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