

## Second Circuit Holds Named Plaintiffs in Class Action Must be Named in Every Notice to Court or Risk Losing Right to Appeal

**Date:** 08/20/21

Rule 3 of the Federal Rules of Appellate Procedure ("FRAP") sets forth the requirements for filing an appeal in federal court. Recently, the U.S. Court of Appeals for the Second Circuit clarified that FRAP Rule 3(c)(1)(A) requires individual *named* plaintiffs to indicate their intent to appeal, even if members of a putative class, and "not merely rely on a notice of appeal filed by the lead plaintiffs or other persons qualified to represent the class." *Cho v. BlackBerry Ltd.*, 991 F.3d 155, 159 (2d. Cir. 2021).

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