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13 e.Digital Corporation

14 **UNITED STATES DISTRICT COURT**  
15 **SOUTHERN DISTRICT OF CALIFORNIA**

16 e.Digital Corporation,  
17 Plaintiff,  
18 v.  
19 ZTE Corporation and ZTE (USA) Inc.,  
20 Defendants.  
21 And Related Counterclaims.

22 Case No. 3:13-cv-00782-DMS-WVG  
23 **NOTICE OF APPEAL**  
24 **Assigned to the**  
25 **Honorable Judge Dana M. Sabraw**  
26 **Ctrm: 13A (Annex)**

27 TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:  
28 PLEASE TAKE NOTICE THAT E.DIGITAL CORPORATION, the  
Plaintiff and Counter-Defendant in the above-titled matter, hereby appeals to the  
United States Court of Appeals for the Federal Circuit from the “Amended Partial  
Judgment” of the District Court entered on January 7, 2014 (Dkt #58) (Exhibit A  
hereto) (hereafter “Judgment”) and all other appealable decisions, findings, orders  
and rulings related to, supporting, merged into, and/or incorporated in the

1 Judgment or which otherwise negatively impact e.Digital Corporation’s claims and  
2 rights, including but not limited to the following:

- 3 1) The Court’s “Order Granting Defendants’ Motion to Apply Collateral  
4 Estoppel” (Dkt #43), dated August 21, 2013 (Exhibit B hereto); and/or,  
5 2) “Order Granting Motions To Amend Or Correct Judgments And Stay  
6 Actions Pending Appeal”, dated January 7, 2014 (Dkt #57) (Exhibit C hereto).

7 A copy of the documents referenced above are incorporated herewith as  
8 Exhibits A, B, and C.

9  
10 Dated: January 13, 2014

**HANDAL & ASSOCIATES**  
By: /s/Pamela C. Chalk  
Anton N. Handal  
Pamela C. Chalk  
Gabriel G. Hedrick  
Attorneys for Plaintiff  
e.Digital Corporation

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**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a true and correct copy of the foregoing document has been served on this date to all counsel of record, if any to date, who are deemed to have consented to electronic service via the Court’s CM/ECF system per CivLR 5.4(d). Any other counsel of record will be served by electronic mail, facsimile and/or overnight delivery upon their appearance in this matter.

I declare under penalty of perjury of the laws of the United States that the foregoing is true and correct. Executed this 13th day of January, 2014 at San Diego, California.

Dated: January 13, 2014

**HANDAL & ASSOCIATES**  
By: /s/Pamela C. Chalk  
Anton N. Handal  
Pamela C. Chalk  
Gabriel G. Hedrick  
Attorneys for Plaintiff  
e.Digital Corporation