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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 Pantech Wireless, Inc. aka Pantech
20 North America; Pantech Co. Ltd.;
21 Defendants.

Case No. 3:13-cv-00023-DMS-WVG

NOTICE OF APPEAL

**Assigned to the
Honorable Judge Dana M. Sabraw**

Ctrm: 13A (Annex)

22 TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

23 PLEASE TAKE NOTICE THAT E.DIGITAL CORPORATION, the
24 Plaintiff in the above-titled matter, hereby appeals to the United States Court of
25 Appeals for the Federal Circuit from the “Amended Partial Judgment” of the
26 District Court entered on January 7, 2014 (Dkt #55) (Exhibit A hereto) (hereafter
27 “Judgment”) and all other appealable decisions, findings, orders and rulings related
28 to, supporting, merged into, and/or incorporated in the Judgment or which
otherwise negatively impact e.Digital Corporation’s claims and rights, including

1 but not limited to the following:

2 1) The Court's "Order Granting Defendants' Motion to Apply Collateral
3 Estoppel" (Dkt #42), dated August 21, 2013 (Exhibit B hereto); and/or,

4 2) "Order Granting Motions To Amend Or Correct Judgments And Stay
5 Actions Pending Appeal", dated January 7, 2014 (Dkt #54) (Exhibit C hereto).

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

8
9 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