

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

In re:	04-md-1603 (SHS)
OXYCONTIN ANTITRUST LITIGATION	This document relates to the following case:
PURDUE PHARMA L.P., THE P.F. LABORATORIES, INC., PURDUE PHARMACEUTICALS L.P., and RHODES TECHNOLOGIES, Plaintiffs, v. EPIC PHARMA, LLC Defendant.	Case No. 13-cv-00683-SHS

**NOTICE OF APPEAL TO THE UNITED STATES COURT OF APPEALS
FOR THE FEDERAL CIRCUIT**

Notice is hereby given that Plaintiffs Purdue Pharma L.P., The P.F. Laboratories, Inc., Purdue Pharmaceuticals L.P., and Rhodes Technologies (collectively “Purdue”) appeal to the United States Court of Appeals for the Federal Circuit from the Order (04-md-1603 D.I. 640; 13-cv-683 D.I. 23) entered on January 29, 2014 dismissing the above-captioned case on the grounds of collateral estoppel and from the Judgment, opinions, orders, and rulings upon which the conclusion of collateral estoppel was based, including: the Judgment (04-md-1603 D.I. 637; 11-cv-2037 D.I. 150; 12-cv-05083 D.I. 46) entered in *Purdue Pharma L.P. et al. v. Teva Pharmaceuticals USA, Inc.* (11 Civ. 2037 (SHS); 12 Civ. 5083 (SHS)) (the “*Teva* action”) on January 22, 2014, which was based on the Court’s Findings of Fact and Conclusions of Law (04-md-1603 D.I. 634; 11-cv-2037 D.I. 149; 12-cv-05083 D.I. 45) dated January 14, 2014, and the

Claim Construction Opinion & Order (04-md-1603 D.I. 568; 11-cv-2037 D.I. 102; 12-cv-05083 D.I. 27; 13-cv-683 D.I. 14) dated August 23, 2013, entered in the *Teva* action.

Included herewith is payment of the Notice of Appeal fee (\$505.00) as required by 28 U.S.C. § 1917 and Federal Circuit Rule 52(a)(3)(A), and Federal Rules of Appellate Procedure Rule 3(e).

Dated: February 12, 2014

ROPES & GRAY LLP

/s/ Robert J. Goldman

Robert J. Goldman
1900 University Avenue, 6th Floor
East Palo Alto, CA 94303
(650) 617-4000
robert.goldman@ropesgray.com

Christopher J. Harnett
Pablo D. Hendler
Sona De
1211 Avenue of the Americas
New York, NY 10036
(212) 596-9000
christopher.harnett@ropesgray.com
pablo.hendler@ropesgray.com
sona.de@ropesgray.com

*Attorneys for Plaintiffs
Purdue Pharma L.P.,
The P.F. Laboratories, Inc.,
Purdue Pharmaceuticals L.P. and
Rhodes Technologies*