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IN THE UNITED STATES DISTRICT COURT
DISTRICT OF OREGON
PORTLAND DIVISION

SMITH & NEPHEW, INC, and JOHN O.
HAYHURST, M.D.,

Plaintiffs,

v.

ARTHREX, INC.,

Defendant.

Case No. 3:04-cv-00029-MO

DEFENDANT ARTHREX, INC.'S
NOTICE OF APPEAL

Pursuant to Fed. R. App. P. 3 and 28 U.S.C. §1291, notice is hereby given that Defendant Arthrex, Inc. (“Arthrex”) submits the following Notice of Appeal to the United States Court of Appeals for the Federal Circuit. In addition to the orders, rulings, and judgments of the District Court for the District of Oregon already in the above captioned case referenced in Arthrex’s original and supplemental Notice of Appeal (originally filed on October 15, 2013 and docketed as Appeal Nos. 14-1691 and 14-1694), Arthrex appeals from:

1. The August 15, 2014 Order DENYING Motion and Memorandum For Indicative Ruling Under Fed. R. Civ. P. 62.1. [1151]; DENYING Motion and Memorandum To Reopen The Judgment Under Rule 60(B) [1152].
2. Any and all orders, rulings, and judgments underlying the foregoing.

Dated: August 18, 2014

By: /s/ Charles W. Saber

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CERTIFICATE OF SERVICE

I hereby certify that on August 18, 2014, I caused the foregoing **DEFENDANT ARTHREX, INC.'S NOTICE OF APPEAL** to be electronically filed with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the following counsel of record:

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