

1 EDWARD R. REINES (Bar No. 135960)
 edward.reines@weil.com
 2 DEREK C. WALTER (Bar No. 246322)
 derek.walter@weil.com
 3 MICHELE A. GAUGER (Bar No. 281769)
 michele.gauger@weil.com
 4 ANANT N. PRADHAN (Bar No. 287227)
 anant.pradhan@weil.com
 5 WEIL, GOTSHAL & MANGES LLP
 Silicon Valley Office
 6 201 Redwood Shores Parkway
 Redwood Shores, CA 94065
 7 Telephone: (650) 802-3000
 Facsimile: (650) 802-3100

8 *Attorneys for Plaintiff and Counterclaim Defendant*
 9 ILLUMINA, INC.

10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

ILLUMINA, INC.,	Plaintiff and Counterclaim- Defendant,
v.	
ARIOSIA DIAGNOSTICS, INC.,	Defendant and Counterclaim- Plaintiff.

Case No. 3:14-CV-01921-SI

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

Judge: Honorable Susan Illston

1 Notice is hereby given that Plaintiff Illumina, Inc. intends to appeal pursuant to 9 U.S.C. §
2 16 to the United States Court of Appeals for the Federal Circuit from the August 7, 2014 Order
3 entered by the District Court in this matter Granting in Part and Denying in Part Plaintiff's Motion
4 to Dismiss and to Strike counterclaimant Ariosa Diagnostic, Inc.'s counterclaims and defenses
5 (Dkt. No. 40) to the extent the Order concluded that Ariosa's counterclaims for breach of contract
6 and breach of the covenant of good faith and fair dealing are not subject to the arbitration clause
7 contained in the supply agreement between the two parties and therefore should not be dismissed.

8

9 Dated: September 8, 2014

Respectfully submitted,

10

11

By: /s/ Edward R. Reines

12

Edward R. Reines

13

WEIL, GOTSHAL & MANGES LLP

14

Silicon Valley Office

15

201 Redwood Shores Parkway

16

Redwood Shores, CA 94065

17

Telephone: (650) 802-3000

18

*Attorney for Plaintiff and Counterclaim
Defendant*

19

20

21

22

23

24

25

26

27

28