

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

ALLERGAN, INC.,

Plaintiff,

v.

SANDOZ, INC., AKORN, INC., HI-TECH  
PHARMACAL CO., INC.,

Defendants.

Civil Action No. 14-cv-1034

**PLAINTIFFS' NOTICE OF APPEAL**

Notice is hereby given that plaintiff Allergan, Inc. ("Allergan") hereby appeals to the United States Court of Appeals for the Federal Circuit from the Court's Orders and Judgments of August 31, 2015 (Dkts 71 and 72) and Final Judgment of September 29, 2015 (Dkt 77), and from all decisions, opinions, orders, and rulings subsumed therein and/or made prior to entry of the August 31, 2015 and September 29, 2015 Orders and Judgments in this action.

Respectfully submitted,

Dated: September 30, 2015

s/ Larry McDevitt

Larry McDevitt

N.C. State Bar No. 5032

David Wilkerson

N.C. State Bar No. 35742

Heather Whitaker Goldstein

N.C. State Bar No. 26194

THE VAN WINKLE LAW FIRM

11 North Market Street

Asheville, NC 28801

Telephone: (828) 258-2991

Facsimile: (828) 257-2767

E-mail: lmcdevitt@vwlawfirm.com;

dwilkerson@vwlawfirm.com;

hgoldstein@vwlawfirm.com

COUNSEL FOR PLAINTIFF ALLERGAN,  
INC.

OF COUNSEL:

Jonathan E. Singer  
Deanna J. Reichel  
FISH & RICHARDSON P.C.  
60 South Sixth St., Suite 3200  
Minneapolis, MN 55402  
Telephone: (612) 335-5070  
Email: singer@fr.com; reichel@fr.com

Juanita R. Brooks  
FISH & RICHARDSON P.C.  
12390 El Camino Real  
San Diego, CA 92130  
Telephone: (858) 678-5070  
Email: brooks@fr.com

Douglas E. McCann  
Elizabeth M. Flanagan  
FISH & RICHARDSON P.C.  
222 Delaware Avenue, 17th Floor  
P.O. Box 1114  
Wilmington, DE 19899-1114  
Telephone: 302-652-5070  
Email: dmccann@fr.com; eflanagan@fr.com

**CERTIFICATE OF SERVICE**

I hereby certify that I have this day electronically filed the foregoing NOTICE OF APPEAL and accompanying documents with the Clerk of Court using the CM/ECF system, which will send notification to all parties.

This 30th day of September, 2015.

*s/ Larry McDevitt*  
\_\_\_\_\_  
Larry McDevitt