

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION**

|                                   |                                       |
|-----------------------------------|---------------------------------------|
| <b>NEXUSCARD INC.,</b>            |                                       |
| Plaintiff,                        | Case No. 2:15-cv-961<br>(Lead Case)   |
| v.                                |                                       |
| <b>BROOKSHIRE GROCERY COMPANY</b> |                                       |
| Defendant.                        |                                       |
| <b>THE KROGER CO.</b>             | Case No. 2:15-cv-968<br>(Member Case) |

**PLAINTIFF NEXUSCARD, INC.'S  
NOTICE OF APPEAL**

Plaintiff Nexuscards, Inc. hereby appeals to the United States Court of Appeals for the Federal Circuit from the following: (1) the Final Order entered April 13, 2016, which relied on a memorandum opinion from March 24th, which dismissed this case and consolidated cases, and which held the patent-in-suit to be invalid under 35 U.S.C. § 101; (2) the Order Dismissing this case and consolidated cases entered on March 24, 2016; and (3) any and all other opinions, orders, findings, or rulings prior to, concurrent with, or after the March 24, 2016 dismissal of the above-named case(s) that were adverse to Plaintiff Nexuscards, Inc.

Dated: May 12, 2016

/s/Adam L. Baumli  
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**CERTIFICATE OF SERVICE**

I hereby certify that on May 12, 2016, I electronically filed the above document(s) with the Clerk of Court using CM/ECF which will send electronic notification of such filing(s) to all registered counsel.

/s/Adam L. Baumli  
Adam L. Baumli