

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT PENNSYLVANIA**

DOMINION RESOURCES, INC., and
VIRGINIA ELECTRIC AND POWER
COMPANY,

Plaintiffs,

v.

ALSTOM GRID LLC,

Defendant.

Civil Action No. 2:15-cv-00224-MAK

DEFENDANT ALSTOM GRID LLC'S NOTICE OF APPEAL

Notice is hereby given that Defendant Alstom Grid LLC ("Alstom Grid") in the above named case hereby appeals to the United States Court of Appeals for the Federal Circuit from the Judgment Order entered by the District Court in the above-captioned case on October 3, 2016 (Dkt. 341), and from any and all pre- and post-judgment orders, rulings, findings, decisions, and/or conclusions decided adversely to Alstom Grid, in whole or in part, including but not limited to the following: (i) the October 3, 2016 Judgment Order awarding damages, enhancing damages, and granting a permanent injunction (Dkt. 341), including its accompanying Memorandum Opinion (Dkt. 340); (ii) the Jury Verdict dated July 1, 2016 and filed July 5, 2016 (Dkt. 298); (iii) the June 10, 2016 Order denying Alstom Grid's Motions *in limine* (Dkt. 247); (iv) the June 10, 2016 Order denying Alstom Grid's Motion *in limine* to Bar Damages for Contracts and Statements of Work before August 11, 2014 (Dkt. 246); (v) the June 9, 2016 Order granting in part and denying in part Alstom Grid's Motion *in limine* to Bar Evidence of All Pre-Suit Negotiations Between August 26, 2014 and January 16, 2015 (Dkt. 242); (vi) the June 9, 2016 Order granting Plaintiffs' Motion *in limine* to Exclude Prior Art Invalidity Testimony (Dkt. 237); (vii) the May 16, 2016 Order granting in part and denying in part Plaintiffs' Motion to

Exclude Dr. Chika Nwankpa's Opinions (Dkt. 190); (viii) the May 12, 2016 Order granting Plaintiffs' Motion to Exclude Michael Chase's Legal Opinions (Dkt. 189); (ix) the April 1, 2016 Order denying Alstom Grid's Motion to Withdraw Request for a Jury Trial and Strike Jury Demand (Dkt. 139); (x) the December 21, 2015 Order granting Plaintiffs' Motion to Dismiss All Inequitable Conduct Counterclaims and Strike Corresponding Affirmative Defenses and Defendant's Response (Dkt. 110); (xi) the October 28, 2015 *Markman* Order (Dkt. 96); and (xii) all other orders, rulings, findings, decisions, and/or conclusions entered by the District Court and/or jury in this case that are adverse to and appealable by Alstom Grid.

Pursuant to Federal Rule of Appellate Procedure 4(a)(4)(B)(i), Alstom Grid respectfully notes that it filed various motions identified in Federal Rule of Appellate Procedure 4(a)(4)(A) on October 31, 2016 (Dkt. 349), such that "the notice becomes effective to appeal a judgment or order, in whole or in part, when the order disposing of the last such remaining motion is entered," *id.* Alstom Grid will promptly notify the Court of Appeals for the Federal Circuit that post-judgment motions listed in Federal Rule of Appellate Procedure 4(a)(4) are pending in the above-captioned case pursuant to the Practice Notes to Federal Circuit Rule 4, whereupon the Clerk of the Court of Appeals for the Federal Circuit will deactivate the appeal until the District Court has ruled on the pending motions.

Included herewith is the payment of the \$5 filing fee required by 28 U.S.C. § 1917, and the \$500 docketing fee required by Federal Circuit Rule 52(a)(3)(A), paid to this Court pursuant to Federal Rule of Appellate Procedure 3(e) and Federal Circuit Rule 52(a)(2).

November 1, 2016

Respectfully submitted,

By: /s/ Joseph H. Blum

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CERTIFICATE OF SERVICE

I hereby certify that on November 1, 2016, I caused a copy of the foregoing document to be electronically filed with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to all counsel of record.

/s/ Joseph H. Blum _____

Joseph H. Blum

Attorney for Defendant Alstom Grid LLC