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12 Attorneys for Plaintiff
DEXCOM, INC.

14 **UNITED STATES DISTRICT COURT**
15 **CENTRAL DISTRICT OF CALIFORNIA**
16 **WESTERN DIVISION**

18 DEXCOM, INC.,
19 Plaintiff,
20 v.
21 AGAMATRIX, INC.,
22 Defendant.

Case No. 16-cv-05947-SJO-AS
**PLAINTIFF DEXCOM, INC.’S
NOTICE OF APPEAL**

District Judge: S. James Otero
Courtroom: 10c, 10th Floor

1 Notice is hereby given that Plaintiff Dexcom, Inc. (“Dexcom”) in the above
2 named case appeals to the United States Court of Appeals for the Federal Circuit from
3 the Order entered in this action on August 6, 2018 awarding AgaMatrix, Inc. its
4 attorneys’ fees, expert fees, and non-taxable expenses in the amount of \$1,345,816.30
5 (Dkt. 331)¹, and prior opinions and orders subsumed therein including, without
6 limitation, the Order granting-in-part Defendant’s Motion for Recovery of Attorneys’
7 Fees, Costs and Expenses, entered on May 9, 2018 (Dkt. 281), and all other orders,
8 opinions, judgments, and rulings pertinent or ancillary to the foregoing, including
9 without limitation any subsequent judgment.

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26 ¹ As this Court has yet to enter the judgment relating to this Order, Dexcom
27 respectfully notes that Federal Rule of Appellate Procedure 4(a)(2) should apply,
28 wherein “[a] notice of appeal filed after the court announces a decision or order—but
before the entry of the judgment or order—is treated as filed on the date of and after
the entry.” Fed. R. App. Proc. 4(a)(2).

1 Respectfully submitted this 5th day of September, 2018.

2 /s/ Sona De

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