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7 Attorneys for Plaintiff
8 DR. GREENS, INC.

9 UNITED STATES DISTRICT COURT
10 SOUTHERN DISTRICT OF CALIFORNIA

11 DR. GREENS, INC., a California
12 corporation,

13 Plaintiff/Appellant,

14 v.

15 JAMES MATTHEW STEPHENS, an
16 individual, and SPECTRUM
17 LABORATORIES, LLC, an Ohio limited
18 liability company,

19 Defendants/Appellee.

Case No. 11cv0638 JAH (KSC)

**MATTHEW GREEN and DR.
GREENS, INC.'S NOTICE OF
APPEAL TO THE UNITED
STATES COURT OF APPEALS
FOR THE FEDERAL CIRCUIT**

Judge: Hon. John A. Houston
Courtroom: 13(B) (Annex)

1 Notice is hereby given that Plaintiff and Counterclaim-Defendants Matthew
 2 Green and Dr. Greens, Inc. (“Dr. Greens”) in the above-named case hereby appeal
 3 to the United States Court of Appeals for the Federal Circuit from the Final Judgment
 4 entered on March 29, 2019 (Dkt. No. 341), and all interlocutory orders that gave rise
 5 to that judgment including, *without limitation*, the Court’s Order Dkt. No. 280 and
 6 as read into the record on September 22, 2017 regarding Summary Judgment based
 7 on 35 U.S.C. §103 and Inequitable Conduct, related Orders (Dkt. Nos. 327, 283,
 8 284, and 285), and Order Granting Enhanced Damages (Dkt. No. 340).

11
12
13 Dated: April 26, 2019

EASTMAN & MCCARTNEY LLP

14 By: /s/ Gary L. Eastman

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 Gary L. Eastman, Esq.

16 Attorneys for Plaintiff and Counter-
17 Defendant Matthew Green and
18 DR. GREENS, INC.

PROOF OF SERVICE

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I, the undersigned certify and declare as follows:

I am over the age of eighteen years and not a party to this action. My business address is 401 West A Street, Suite 1785, San Diego, California, 92101, which is located in the county where the service described below took place.

On April 26, 2019, at my place of business in San Diego, California, I served the following document:

MATTHEW GREEN AND DR. GREENS, INC.’S NOTICE OF APPEAL TO THE UNITED STATES COURT OF APPEALS FOR THE FEDERAL CIRCUIT

Via the CM/ECF FILING SYSTEM. The undersigned hereby certifies that he caused a copy of the foregoing documents to be filed with the clerk of the U.S. District Court, Southern District of California, using the CM/ECF filing system, which caused a copy to be electronically mailed to the following CM/ECF Participant(s) noted below:

David B. Cupar
Matthew J. Cavanagh
McDonald Hopkins, LLP
600 Superior Avenue East
Cleveland, OH 44114

J. Christopher Jaczko
Procopio
525 B Street, Suite 2200
San Diego, CA 92101

I certify and declare under penalty of perjury under the laws of the United States and the State of California that the foregoing is true and correct.

Executed on April 26, 2019 in San Diego, California

By: /s/ Gary L. Eastman
Gary L. Eastman