# IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF TEXAS WACO DIVISION

Repeat Precision, LLC,	§	
	§	
Plaintiff,	§	
	§	
<b>v.</b>	§	CASE NO. 6:19-CV-00036-ADA
	§	(CONSOLIDATED WITH
Diamondback Industries, Inc.	§	6:19-CV-00034-ADA)
	§	
Defendant.	§	
	§	
	§	

# DEFENDANT DIAMONDBACK INDUSTRIES, INC.'S NOTICE OF APPEAL

Pursuant to Federal Rule of Appellate Procedure 3, Defendant Diamondback Industries, Inc. hereby appeals to the United States Court of Appeals for the Federal Circuit from the following:

- the April 3, 2020 Final Judgment, Dkt. No. 205, docketed in 6:19-cv-34<sup>1</sup>;
- the April 13, 2020 Amended Final Judgment, Dkt. No. 221, docketed in 6:19-cv-34:
- the April 16, 2020 Corrected Amended Final Judgment, Dkt. No. 228, docketed in 6:19-cv-34; and,

all adverse interlocutory decisions merged into the aforementioned judgments.

<sup>&</sup>lt;sup>1</sup> Per district court order, this action was consolidated with 6:19-cv-34, and all filings and orders in 6:19-cv-36 were "docket[ed] ... in lead case 6:19CV34 only." *See* 6:19-cv-36 (Feb. 19, 2019) (text order).

Dated: April 21, 2020 Respectfully submitted,

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# Counsel for Diamondback Industries, Inc.

# **CERTIFICATE OF SERVICE**

This is to certify that on this 21st day of April, 2020, I electronically filed the foregoing document with the Clerk of the Court for the U.S. District Court, Western District of Texas, Waco Division, using the CM/ECF system of the Court and that a copy of same was served on all counsel of record by either electronic notification or by electronic mail.

/s/ David Keltner
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