

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

FERRING PHARMACEUTICALS INC.,
FERRING INTERNATIONAL CENTER S.A.,
FERRING B.V., and
POLYPEPTIDE LABORATORIES A/S

Plaintiffs,

V.

FRESENIUS KABI USA, LLC

Defendant.

C.A. No. 20-cv-431-MN

DEFENDANT FRESENIUS KABI USA, LLC'S NOTICE OF APPEAL

NOTICE IS GIVEN that, pursuant to Federal Rule of Appellate Procedure 4(a), Defendant Fresenius Kabi USA, LLC hereby appeals to the United States Court of Appeals for the Federal Circuit from the Final Judgment of this Court entered on January 30, 2023 (D.I. 234) and from any and all adverse orders, rulings, findings, opinions, and conclusions incorporated in, antecedent to, ancillary to, or underlying and related to that Final Judgment, including but not limited to the Court’s Memorandum Opinion dated December 12, 2022 (D.I. 223) and from any and all adverse interlocutory orders, judgments, decrees, decisions, rulings, and opinions that merged into and became part of the Final Judgment, that shaped the Final Judgment, that are related to the Final Judgment, or upon which the Final Judgment is based.

Dated: February 24, 2023

Respectfully submitted,

Of Counsel:

FARNAN LLP

Imron T. Aly
Joel M. Wallace
Jason G. Harp
Matt T. Wilkerson
Mallory McMahon
ARENTFOX SCHIFF LLP
233 South Wacker Drive, Suite 7100
Chicago, IL 60606
Telephone: (312) 258-5500
imron.aly@afslaw.com
joel.wallace@afslaw.com
jason.harp@afslaw.com
matthew.wilkerson@afslaw.com
mallory.mcmahon@afslaw.com

/s/ Michael J. Farnan
Brian E. Farnan (No. 4089)
Michael J. Farnan (No. 5165)
919 North Market St., 12th Floor
Wilmington, DE 19801
Tel: (302) 777-0300
Fax: (302) 777-0301
bfarnan@farnanlaw.com
mfarnan@farnanlaw.com

John K. Hsu
ARENTFOX SCHIFF LLP
1717 K Street NW
Washington, DC 20006
Telephone: (202) 857-6000
john.hsu@afslaw.com

*Attorneys for Defendant Fresenius Kabi USA
LLC*