

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA
BLUEFIELD DIVISION

| | | |
|----------------------------------|---|-------------------------------|
| _____ |) | |
| LUMA CORPORATION, |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| vs. |) | Civil Action No. 1:02-1132 |
| |) | |
| STRYKER CORPORATION; KARL STORZ |) | |
| ENDOVISION, INC.; and KARL STORZ |) | |
| ENDOSCOPY-AMERICA, INC., |) | |
| |) | |
| Defendants. |) | |
| _____ |) | |
| KARL STORZ ENDOSCOPY-AMERICA, |) | |
| INC. |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| vs. |) | Civil Action No. 1:02-CV-1479 |
| |) | |
| LUMA CORPORATION; DR. PHILIP J. |) | |
| BRANSON |) | |
| |) | |
| Defendants. |) | |
| _____ |) | Consolidated Actions |

**NOTICE OF CROSS APPEAL OF DEFENDANT
KARL STORZ ENDOSCOPY-AMERICA, INC.**

Notice is hereby given that Karl Storz Endoscopy-America, Inc. ("KSEA"), defendant in the above-named case, hereby cross appeals to the United States Court of Appeals for the Federal Circuit from the Memorandum Opinion and Order of March 9, 2007, denying KSEA's motion for attorneys' fees.

Respectfully submitted,

Dated: May 15, 2007

s/Wayne L. Evans

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Attorneys for Defendant
Karl Storz Endoscopy-America, Inc.

CERTIFICATE OF SERVICE

I do hereby certify that on the 15th day of May, 2007, I presented the foregoing **NOTICE OF CROSS APPEAL OF DEFENDANT KARL STORZ ENDOSCOPY-AMERICA, INC.** by *Regular Mail* and to the Clerk of the Court for filing and uploading to the CM/ECF system, which will send notification of such filing to the following CM/ECF participants:

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And to the following participants by Facsimile & Federal Express (overnight delivery)

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Dated: May 15, 2007

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