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Fresenius Medical Care Holdings, Inc. and Fresenius USA, Inc.

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION

FRESENIUS MEDICAL CARE HOLDINGS,  
INC., a New York corporation; and FRESENIUS  
USA, INC., a Massachusetts corporation,

Plaintiffs and Counterdefendants,

v.

BAXTER INTERNATIONAL, INC., a  
Delaware corporation; and BAXTER  
HEALTHCARE CORPORATION, a  
Delaware corporation,

Defendants and Counterclaimants.

Case No. C 03-01431 PJH

**FRESENIUS' NOTICE OF APPEAL TO  
THE UNITED STATES COURT OF  
APPEALS FOR THE FEDERAL CIRCUIT**

1 Notice is hereby given that Plaintiffs Fresenius Medical Care Holdings, Inc. and Fresenius  
2 USA, Inc. (collectively, "Fresenius") appeal to the United States Court of Appeals for the Federal  
3 Circuit from the following:

- 4 1. Final Judgment dated March 16, 2012 [Dkt 1136];
- 5 2. Findings of Fact and Conclusions of Law and Order Re Motion for Decision on Limited  
6 Remand Issues dated March 8, 2012 [Dkt 1134];
- 7 3. Order denying Motion to Stay Remand Proceedings and Motion for a New Trial dated  
8 May 26, 2011 [Dkt. No. 1095]; and
- 9 4. Any and all adverse rulings underlying, subsidiary to, and/or related to the above.

10  
11 Dated: March 30, 2012

FISH & RICHARDSON P.C.

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13 By: /s/ Michael E. Florey  
14 Michael E. Florey

15 Attorneys for Plaintiffs/Counterclaim  
16 Defendants  
17 FRESENIUS MEDICAL CARE HOLDINGS,  
18 INC. AND FRESENIUS USA, INC.

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