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**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

**SUNOVION PHARMACEUTICALS,
INC.,**

Plaintiff,

v.

**TEVA PHARMACEUTICALS USA,
INC., et al.,**

Defendants.

Civil Action No. 09-1302 (SDW)(MF)

Hon. Susan D. Wigenton, U.S.D.J.

Hon. Mark Falk, U.S.M.J.

(Filed Electronically)

**NOTICE OF APPEAL TO THE U.S. COURT
OF APPEALS FOR THE FEDERAL CIRCUIT**

Notice is hereby given that Plaintiff Sunovion Pharmaceuticals Inc., pursuant to 28 U.S.C. § 1291, 28 U.S.C. § 1295(a)(1), and Fed. R. App. P. 4(a)(1), hereby appeals to the United States Court of Appeals for the Federal Circuit from the Final Judgment entered on April 12, 2013 (D.I. 507), and from any underlying

decisions, orders, opinions, and rulings relating thereto, including, but not limited to: the January 17, 2013 Order granting Renewed Motion for Summary Judgment of Non-Infringement (D.I. 480) and the related Opinion (D.I. 479); the December 14, 2012 Order denying the amended motion for reconsideration (D.I. 475) and the related Opinion (D.I. 474); the May 25, 2012 Order denying Summary Judgment of Non-Infringement without prejudice (D.I. 437); and the April 10, 2012 Order on claim construction (D.I. 418) and the related Opinion (D.I. 417).

Dated: April 12, 2013

By: s/ Charles M. Lizza
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