

**UNITED STATES DISTRICT COURT
DISTRICT OF NEBRASKA**

EXMARK MANUFACTURING CO., INC.,

Plaintiff,

V.

BRIGGS & STRATTON CORPORATION,

Defendant.

Civ. Action No. 8:10-cv-00187-JFB-CRZ

NOTICE OF APPEAL

Pursuant to 28 U.S.C. § 1295(a)(1) and Fed. R. App. P. 3 and 4, Defendant Briggs & Stratton Corporation (“Briggs”) hereby respectfully appeals to the United States Court of Appeals for the Federal Circuit from the District Court’s Amended Judgment dated April 15, 2019 (Dkt. No. 961) and all underlying Orders, Opinions, Decisions, and Rulings, whether oral or written, including but not limited to the District Court’s (1) Memorandum and Order on Claim Construction, dated November 29, 2011 (Dkt. No. 156); (2) Memorandum and Order on Briggs’s Motion to Transfer, dated June 28, 2018 (Dkt. No. 754); (3) Order on Briggs’s Objections to the Memorandum and Order on Briggs’s Motion to Transfer, dated July 19, 2018 (Dkt. No. 756); (4) Memorandum and Order on Plaintiff Exmark Manufacturing Co., Inc.’s (“Exmark”) Motion for Summary Judgment to Reaffirm That the Asserted Claims of United States Patent No. 5,987,863 are Not Invalid in View of the Prior Art, dated October 12, 2018 (Dkt. No. 800); (5) Memorandum and Order on Briggs’s Motion to Exclude the Opinions of Melissa Bennis, dated October 12, 2018 (Dkt. No. 801); (6) Memorandum and Order on Exmark’s Motion for Summary Judgment to Reaffirm the Jury’s Verdict That Briggs’s Infringement was Willful, dated November 26, 2018 (Dkt. No. 868); (7) Memorandum and Order on Briggs’s Motion for

Summary Judgment That Claim 1 of United States Patent No. 5,987,863 is Invalid Due to Indefiniteness, dated December 3, 2018 (Dkt. No. 876); (8) Order on Motions *In Limine*, dated December 10, 2018 (Dkt. No. 901); (9) ruling on Briggs's Motion to Strike the Testimony of Melissa Bennis and Renewed Motion to Exclude the Opinions of Melissa Bennis, dated December 14, 2019 (Dkt. No. 908; Dkt. No. 925 at 913:25-914:7); (10) ruling on Briggs's Motion for Judgment as a Matter of Law on Damages, dated December 14, 2018 (Dkt. No. 908; Dkt. No. 925 at 914:8-915:20); (11) Jury Verdict, dated December 18, 2018 (Dkt. No. 915); (12) Initial Jury Instructions, filed December 18, 2018 (Dkt. No. 916); (13) Revised Initial Jury Instructions, filed December 18, 2018 (Dkt. No. 917); (14) Closing Jury Instructions, filed December 18, 2018 (Dkt. No. 918); (15) Entry of Judgment, dated December 19, 2018 (Dkt. No. 919); (16) Order on Damages, Interest, Attorney Fees, and Costs, dated December 21, 2018 (Dkt. No. 920); (17) Memorandum and Order on Briggs's Motion for Judgment as a Matter of Law, Remittitur, and a New Trial, dated April 15, 2019 (Dkt. No. 959); (18) Memorandum and Order on Exmark's Motion to Amend the Judgment, dated April 15, 2019 (Dkt. No. 960).

Dated: May 14, 2019

Respectfully submitted,

BRIGGS & STRATTON CORPORATION

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