

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

---

JOHN R. WILSON and WILSON WOLF  
MANUFACTURING CORPORATION,

Plaintiffs,

Civil No. 13-210 (DWF/TNL)

v.

CORNING, INC.,

Defendant.

---

**NOTICE OF APPEAL**

Pursuant to the Federal Rules of Appellate Procedure 3 and 4, notice is hereby given that Plaintiffs John R. Wilson and Wilson Wolf Manufacturing Corporation (collectively, “Wilson” or “Plaintiffs”) hereby appeal to the United States Court of Appeals for the Federal Circuit from this Court’s Findings of Fact, Conclusions of Law, and Order for Judgment (Dkt. No. 1007), entered in this action on September 27, 2023; and the Judgment (Dkt. No. 1008), entered in this action on September 27, 2023, and from all orders, rulings, findings, and conclusions of the Court adverse to Plaintiffs that are subsumed within the Judgment, including the following:

1. Oral Order issued on November 7, 2014, reflected in the Amended Minute Entry for proceedings (Dkt. No. 293), dismissing Count VII of Plaintiffs’ Complaint with prejudice;
2. Memorandum Opinion And Order (Dkt. No. 299), entered in this action on March 17, 2015, dismissing Count VII of Plaintiffs’ Complaint with prejudice;
3. Memorandum Opinion and Order (Dkt. No. 388), entered in this action on March 22, 2016, including portions of the Order:

- a. dismissing with prejudice Plaintiffs’ trade secret misappropriation claim to the extent that the claim is based on alleged misappropriation after April 21, 2005;
  - b. limiting Plaintiffs’ trade secret misappropriation claim to trade secrets disclosed in Plaintiffs’ patent applications;
- 4. Memorandum Opinion and Order (Dkt. No. 461), entered in this action on March 29, 2017, including portions of the Order:
  - a. granting Corning’s Motion to Dismiss Plaintiff’s Invalidity Claims for Lack of Subject Matter Jurisdiction (Dkt. No. 391);
  - b. granting Corning’s Motion to Exclude Certain Expert Testimony of Dr. Horacio Rodriguez Rilo, M.D. (Dkt. No. 395);
- 5. Memorandum Opinion And Order (Dkt. No. 781), entered in this action on June 28, 2022, granting Defendant Corning’s Incorporated’s (“Corning”) Motion to Strike Plaintiffs’ Jury Demand;
- 6. Pretrial Order (Dkt. No. 839), entered in this action on July 21, 2022, including portions of Order:
  - a. denying Wilson’s Motion *in Limine* #1 to Preclude Corning from Introducing Evidence of Alleged Invention of the Subject Matter of the ‘209 Patent Prior to September 9, 2004 (Dkt. No. 685);
  - b. denying Wilson’s Motion *in Limine* #7 to Preclude Corning from Challenging Wilson’s Media Sales Calculations (Dkt. No. 690);
  - c. denying Wilson’s Motion *in Limine* #8 to Exclude Corning Testimony Regarding Cell Culture Media Sales (Dkt. No. 691);
  - d. denying Wilson’s Motion *in Limine* #14 to Exclude Corning’s Supplementation Consisting of Previously Unproduced Sales, Cost, and Profit Information (Dkt. No. 697);
  - e. denying Wilson’s Motion *in Limine* #15 to Exclude the First and Second Supplemental Reports of Defendant Corning, Inc.’s Damages Expert, Frances M. McCloskey (Dkt. No. 698);
  - f. denying Wilson’s Motion *in Limine* #16 to Exclude the Supplemental Expert Reports of Charles Crespi and Eric Simon (Dkt. No. 699);
  - g. granting Corning’s Motion *in Limine* #12 (to exclude evidence of profits of media sales) (Dkt. No. 739);
  - h. granting Corning’s Motion *in Limine* #13 (to exclude references to hypothetical contracts) (Dkt. No. 739); and
  - i. granting Corning’s Motion *in Limine* #14 (to exclude remedies not disclosed in discovery) (Dkt. No. 739); and

7. Oral Order issued on November 28, 2022, reflected in the Minute Entry for proceedings entered the same day (Dkt. No. 914), granting Corning's Motion *in Limine* for a Definitive Ruling on Media Sales (Dkt. No. 910).

Dated: October 10, 2023

PADMANABHAN & DAWSON, P.L.L.C.

By: s/Devan V. Padmanabhan  
Devan V. Padmanabhan (#240126)  
Michelle E. Dawson (#388610)  
Sri K. Sankaran (#204304)  
Britta S. Loftus (#388020)  
Paul J. Robbennolt (#240497)  
Mariah L. Reynolds (#387386)  
Erin O. Dungan (#386430)  
9800 Shelard Parkway, Suite 120  
Minneapolis, Minnesota 55441  
(612) 444-3768  
devan@paddalawgroup.com  
michelle@paddalawgroup.com  
sri@paddalawgroup.com  
britta@paddalawgroup.com  
paul@paddalawgroup.com  
mariah@paddalawgroup.com  
erin@paddalawgroup.com

*Attorneys for Plaintiffs John R. Wilson and  
Wilson Wolf Manufacturing Corporation*