

MOORE & LEE, P.C.

Erica W. Rutner (Fla. Bar No. 0070510)

Cal Bar No. 344880

e.rutner@mooreandlee.com

David J. Todd (*Pro Hac Vice*)

D.C. Bar No. 92565

d.todd@mooreandlee.com

110 SE 6th Street, Suite 1980

Fort Lauderdale, FL 33301

Telephone: (703) 506-2050

Fax: (703) 506-2051

Attorneys for Plaintiffs and the Proposed Classes

COVINGTON & BURLING LLP

MATTHEW Q. VERDIN (SBN 306713)

mverdin@cov.com

Salesforce Tower

415 Mission Street, Suite 5400

San Francisco, CA 94105-2533

Telephone: + 1 (415) 591-6000

Facsimile: + 1 (415) 591-6091

*Attorneys for Defendants Hoffmann-La Roche Inc.,
Roche Laboratories Inc., Genentech, Inc., and
Genentech USA, Inc.*

[Additional Counsel Listed on Signature Page]

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

SAN FRANCISCO DIVISION

ANDREA M. CASTON; RICHARD GITHENS,
PATRICK EUGENE WAGHER; and KENDRICK
ALLEN, on behalf of themselves and all others
similarly situated,

Plaintiffs,

v.

F. HOFFMANN-LA ROCHE, INC.; ROCHE
LABORATORIES, INC.; GENENTECH, INC.;
GENENTECH USA, INC.; and DOES 1-100,

Defendants.

CASE NO. 3:23-cv-00928-TLT

NOTICE OF APPEAL

1 Notice is hereby given that Plaintiffs, Andrea M. Caston, Richard Githens, Patrick Eugene Waghar,
2 and Kendrick Allen, in the above-named case, appeal to the United States Court of Appeals for the Ninth
3 Circuit the Order Granting NDA Defendant's Motion to Dismiss and Non-NDA Defendants' Motion to
4 Dismiss, dated April 8, 2024 (Dkt. Entry No. 76), attached hereto as **Exhibit A**, including all appealable
5 orders merged with this Court's judgment. A Representation Statement required by Ninth Circuit Rule 3-
6 2(b) is attached hereto as **Exhibit B**.

1 Dated: May 7, 2024

Respectfully submitted,

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3 By: /s/ Erica Rutner

4 ERICA W. RUTNER (SBN 344880)
5 e.rutner@mooreandlee.com
6 DAVID J. TODD (*pro hac vice*)
7 d.todd@mooreandlee.com
8 MOORE & LEE, P.C.
9 110 SE 6th Street, Suite 1980
10 Fort Lauderdale, FL 33301
11 Telephone: + 1 (703) 506-2050
12 Facsimile: + 1 (703) 506-2051

13 GAIL A. MCQUILKIN (*pro hac vice*)
14 gam@kttlaw.com
15 BENJAMIN WIDLANSKI (*pro hac vice*)
16 bwidlanski@kttlaw.com
17 KOZYAK TROPIN & THROCKMORTON LLP
18 2525 Ponce de Leon Blvd., 9th Floor
19 Coral Gables, FL 33134
20 Telephone: + 1 (305) 372-1800
21 Facsimile: +1 (305) 372-3508

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24
25
26
27
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*Attorneys for Plaintiffs Andrea M. Caston,
Richard Githens, Patrick Eugene Wagher,
and Kendrick Allen*