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Electronics Co., Ltd.

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

NETLIST INC. a Delaware
corporation,

Plaintiff,

vs.

SAMSUNG ELECTRONICS CO.,
LTD., a Korean corporation,

Defendant.

CASE NO. 8:20-cv-00993-WLH-ADS

**SAMSUNG ELECTRONICS CO.,
LTD.'S NOTICE OF APPEAL TO THE
UNITED STATES COURT OF
APPEALS FOR THE NINTH CIRCUIT
AND REPRESENTATION
STATEMENT**

Hon. Wesley L. Hsu

1 **PLEASE TAKE NOTICE** that Defendant Samsung Electronics Co., Ltd.
2 (“Samsung”) hereby appeals to the United States Court of Appeals for the Ninth
3 Circuit from:

- 4 1) the Judgment entered in this action on April 7, 2025 (Docket No. 775),
5 attached hereto as Exhibit A;
- 6 2) the Order re Motion for a New Trial entered in this action on August 4,
7 2025 (Docket No. 813), attached hereto as Exhibit B; and
- 8 3) all prior orders, rulings, findings, stipulations, and conclusions
9 encompassed in the Judgment, whether written or oral, including but not
10 limited to the Court’s February 27, 2025 Order re: Motions Filed in
11 Anticipation of Third Trial (Docket No. 690), attached hereto as Exhibit C.

12 Pursuant to Ninth Circuit Rule 3-2(b), Samsung’s Representation Statement is
13 attached to this Notice of Appeal.

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16 DATED: August 29, 2025

O’MELVENY & MYERS LLP

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18 By: /s/ Marc J. Pensabene

19 Marc J. Pensabene
20 Attorneys for Defendant Samsung
21 Electronics Co., Ltd.
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REPRESENTATION STATEMENT

The undersigned represents Samsung Electronics Co., Ltd. (“Samsung”), defendant and appellant in this matter, and no other party. Pursuant to Federal Rules of Appellate Procedure 12(b) and Ninth Circuit Rule 3-2(b), Defendant-Appellant Samsung submits this Representation Statement that identifies all parties to the action along with the names, addresses, and telephone numbers of their respective counsel.

Plaintiff-Appellee in this action, Netlist Inc., is represented by the following counsel:

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing **Samsung Electronics Co. Ltd.’s Notice of Appeal to the United States Court of Appeals For the Ninth Circuit and Representation Statement** was served on the 29th day of August, 2025 via the Court’s CM/ECF electronic filing system addressed to all parties and counsel of record on the e-service list.

DATED: August 29, 2025

O’MELVENY & MYERS LLP

By: /s/ Marc J. Pensabene
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