NOTE: This order is nonprecedential.

United States Court of Appeals for the Federal Circuit

LAKSHMI ARUNACHALAM, Plaintiff-Appellant

v.

WELLS FARGO BANK, N.A., Defendant-Appellee

2020-1492

Appeal from the United States District Court for the District of Delaware in No. 1:13-cv-01812-RGA, Judge Richard G. Andrews.

ON MOTION

PER CURIAM.

ORDER

Wells Fargo Bank, N.A. moves to dismiss this appeal as untimely. Lakshmi Arunachalam opposes the motion.

This appeal stems from a patent infringement suit filed by Dr. Arunachalam against Wells Fargo. On January 9, 2020, the United States District Court for the District of Delaware entered an order dismissing the case with prejudice, explaining that Dr. Arunachalam "asserts no valid patent." The district court received Dr. Arunachalam's notice of appeal on February 13, 2020, 35 days after entry of the dismissal order.*

To be timely, a notice of appeal must be filed with the district court clerk within 30 days after the judgment or order appealed from is entered. See 28 U.S.C. § 2107(a); Fed. R. App. P. 4(a)(1)(A). "[T]he timely filing of a notice of appeal in a civil case is a jurisdictional requirement." Bowles v. Russell, 551 U.S. 205, 214 (2007).

Dr. Arunachalam appears to indicate that her notice of appeal was filed late due to illness. However, the filing deadline is mandatory, and as such, we may only consider whether the appeal was timely filed at the court. See id. In other words, we cannot toll the deadline based on Dr. Arunachalam's personal circumstances. Because Dr. Arunachalam's appeal was not filed within the statutory deadline, we must dismiss for lack of jurisdiction.

Accordingly,

IT IS ORDERED THAT:

(1) The motion is granted. The appeal is dismissed.

(2) Each side shall bear its own costs.

FOR THE COURT

<u>April 16, 2020</u> Date <u>/s/ Peter R. Marksteiner</u> Peter R. Marksteiner Clerk of Court

2

^{*} Although Dr. Arunachalam's notice of appeal was dated February 12, 2020, it was filed at the district court on February 13, 2020. But even if the district court received her notice of appeal on February 12, 2020, it would still be untimely.

ARUNACHALAM v. WELLS FARGO BANK, N.A.

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ISSUED AS A MANDATE: April 16, 2020

(Contd.) App. 1a Federal Circuit Order (5/16/20)

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s,

NOTE: This order is nonprecedential.

United States Court of Appeals for the Federal Circuit

LAKSHMI ARUNACHALAM, Plaintiff-Appellant

v.

WELLS FARGO BANK, N.A., Defendant-Appellee

2020-1492

Appeal from the United States District Court for the District of Delaware in No. 1:13-cv-01812-RGA, Judge Richard G. Andrews.

ON PETITION FOR REHEARING EN BANC

Before PROST, Chief Judge, NEWMAN, LOURIE, DYK, MOORE, O'MALLEY, REYNA, WALLACH, TARANTO, CHEN, and HUGHES, Circuit Judges^{*}.

PER CURIAM.

ORDER

App. 4a

* Circuit Judge Stoll did not participate.

ARUNACHALAM v. WELLS FARGO BANK, N.A.

Appellant Lakshmi Arunachalam filed a petition for rehearing en banc. The petition was first referred as a petition for rehearing to the panel that heard the appeal, and thereafter the petition for rehearing en banc was referred to the circuit judges who are in regular active service.

Upon consideration thereof,

IT IS ORDERED THAT:

2

The petition for panel rehearing is denied.

The petition for rehearing en banc is denied.

FOR THE COURT

<u>May 26, 2020</u> Date <u>/s/ Peter R. Marksteiner</u> Peter R. Marksteiner Clerk of Court

App. 5a

App. 2a District Court Order (1/9/20)

Case 1:13-cv-01812-RGA Document 80 Filed 01/09/20 Page 1 of 1 PageID #: 1173

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF DELAWARE

I LAKSHMI ARUNACHALAM, Plaintiff, v. V.

Defendant.

Civil Action No. 13-1812-RGA

ORDER DISMISSING CASE

•

Whereas, the Court issued an order to show cause why the case should not be dismissed v⁻¹⁻h prejudice on November 6, 2019 (D.I. 67);

Whereas, the parties filed various responses (D.I. 71, 73, 74, 75, 76, 79);¹

Whereas, the two patents asserted in the complaint were invalidated in Pi-Net v. J.P.

l rgan, No. 12-282-SLR (D.Del), which judgment has since become final;

Whereas, an additional patent sought to be asserted in an amended complaint was

ii lidated in PTAB litigation, which judgment has since become final;²

Now, therefore, since Plaintiff asserts no valid patent,

IT IS HEREBY ORDERED this day of January 2020 that the case is **DISMISSED**

w¹²¹h prejudice.

App. ba

¹ e Inventor Rights Act of 2019, cited by Plaintiff, has not been passed, and therefore is not law.

² e decision in Arthrex, Inc. v. Smith & Nephew, Inc., 941 F.3d 1320 (Fed. Cir. 2019), has no effect on this case, because it is too late to raise an Arthrex challenge. See Customedia Techs, LLC v. Dish Network Corp., 941 F.: 1173 (Fed. Cir. 2019) (per curiam) (Arthrex challenge not raised in opening appellate brief is forfeited).

APPENDIX 1A



Figure 1: Meghan Keneally. (July 3, 2012). After joking about heading to Malta to escape criticism....Chief Justice Roberts heads to Malta as it emerges that he may have written for AND against opinions on Obamacare. *The Daily Mail*. <u>https://www.dailymail.co.uk/news/article-2168451/Chief-Justice-Roberts-heads-Malta-emerges-written-AND-opinions-Obamacare.html</u>

See also:

Grace Wyler. (July 3, 2012). PHOTO: Chief Justice John Roberts Has Escaped To Malta. *Business Insider*. <u>https://www.businessinsider.com/chief-justice-john-roberts-malta-photo-2012-7</u>

Melissa Jeltsen. (July 3, 2012). John Roberts Arrives In Malta (PHOTOS). HuffPost. <u>https://www.huffpost.com/entry/john-roberts-arrives-in-malta_n_1647506</u>

Byron Tau. (July 3, 2012). Photo of the day: Roberts in Malta. Politico. <u>https://www.politico.com/blogs/politico44/2012/07/photo-of-the-day-roberts-in-malta-127988</u> Editor. (July 3, 2012). VIDEO: Roberts 'hiding out' in Malta. MSNBC. <u>https://www.msnbc.com/politicsnation/watch/roberts-hiding-out-in-malta-44416067640</u>

Mark Walsh. (October 1, 2015). John Roberts marks 10 years as chief justice by taking the long view. American Bar Association Journal. ("Just as he retreated to Japan this summer, Roberts left for the island nation of Malta soon after the NFIB decision.").

https://www.abajournal.com/magazine/article/john roberts marks 10 years as c hief justice by taking the long view



Figure 2: J.H. (February 7, 2017). Why the pope has taken control of the Knights of Malta. *The Economist*. <u>https://www.economist.com/the-economist-explains/2017/02/07/why-the-pope-has-taken-control-of-the-knights-of-malta</u>

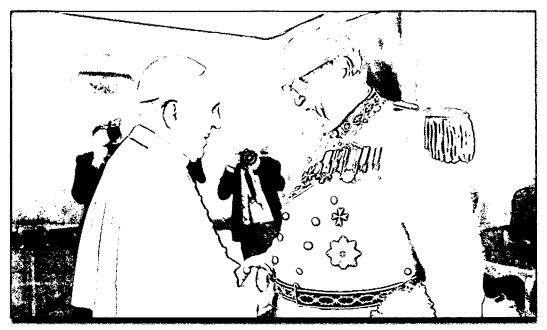


Figure 3: Press Release. (June 23, 2016). Pope Francis Received the Grand Master of the Sovereign Order of Malta in Audience. Order of Malta. https://www.orderofmalta.int/2016/06/23/pope-francis-receives-the-grand-master-of-the-sovereign-order-of-malta-in-audience/



Figure 4: Queen Elizabeth in her Knights of Malta regalia.

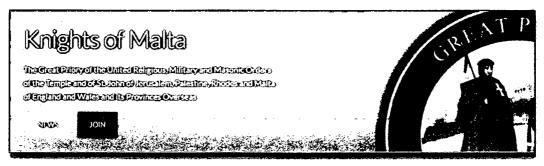


Figure 5: Knights of Malta. (Accessed May 19, 2020). The Great Priory of the United Religious, Military and Masonic Orders of the Temple and of St. John of Jerusalem, Palestine, Rhodes and Malta of England and Wales and its Provinces Overseas. <u>https://www.markmasonshall.org/orders/order-of-malta</u>



Figure 6: Elected government of the Sovereign Order of Malta. The Sovereign Council assists the Grand Master in the government of the Order of Malta. It is composed of the Grand Master, who presides over it, the holders of the four High Offices (Grand Commander, Grand Chancellor, Grand Hospitaller and Receiver of the Common Treasure) and six members. Knights of Malta. (Accessed May 19, 2020). Sovereign Council. Order of Malta.

https://www.orderofmalta.int/government/sovereign-council/

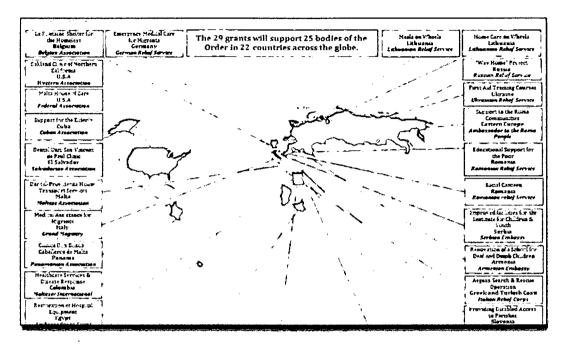


Figure 7: Press Release. (June 27, 2016). The Sovereign Order of Malta's Global Fund for Forgotten People distributed its 2016 grants on St. Johns's Day on June 24th. <u>https://www.orderofmalta.int/2016/06/27/global-fund-for-forgotten-people-distributes-29-grants/</u>

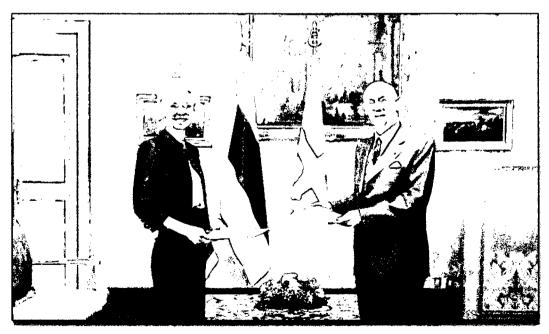


Figure 8: Press Release. (March 11, 2020). Estonia and Sovereign Order of Malta

establish diplomatic relations. Order of Malta. [Estonia was involved in helping create the Christopher Steele "Dirty Dossier" that was used to try and organize a coup d'état against U.S. President Donald Trump].

https://www.orderofmalta.int/2020/03/11/estonia-sovereign-order-malta-establishdiplomatic-relations/

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	Jeff Liebster, Partner and member of the Partner Practice Group, has facilitated the placement of partners in a variety of practice groups with many of the top law firms in the country as well as office openings and firm mergers. He has a B.A., with high distinction, and a J.D. from the University of Michigan, Ann Arbor.						
,	Jane Sullivan Roberts, Partner and member of the Partner Practice Group, focuses on the representation of individual law firm partners and groups and conducts searches for senior in-house positions. She holds a B.A., magna cum laude, from The College of the Holy Cross, a M.Sc. from Brown University and a J.D., cum laude, from Georgetown University Law Center.						
•	Lee Udelsman, Partner and member of the In-House Practice Group, places senior in-house counsel in all industries and across borders. Udelsman was a partner at a major labor and employment law firm and then was a senior sales officer at two public companies. In addition to his law degree, he earned an LL.M. from Georgetown University Law Center.						
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https://web.archive.org/web/20110621221320/http://www.mlaglobal.com/pages/Article.aspx?pagename=ann_2011_new_partners&versionnum=2

https://web.archive.org/web/20110812201907/http://www.mlaglobal.com/Clients/Representative%20Law% 20Firm%20Clients/Partner%20Placements.pdf



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