

Natera, Inc. v. NeoGenomics Laboratories, Inc.

24-1324 | U.S. Court of Appeals, Federal Circuit

Filed Jan. 4, 2024

Nature of Suit 830 Patent

Terminated July 12, 2024

Original Case 1:23-cv-00629

Last Updated 3 months, 3 weeks ago

Filing Date	#	Docket Text
8/19/2024	54	Mandate issued to the United States District Court for the Middle District of North Carolina. Service as of this date by the Clerk of Court. [1025908] [24-1324, 24-1409] [MVH] [Entered: 08/19/2024 12:15 PM]
7/12/2024	53	 Motion for Judgment JUDGMENT. AFFIRMED. Terminated on the merits after oral argument. COSTS: Costs taxed against Appellant(s). Mandate to issue in due course. For information regarding costs, petitions for rehearing, and petitions for writs of certiorari click here . Service as of this date by the Clerk of Court. [1017299] [24-1324, 24-1409] [MVH] [Entered: 07/12/2024 10:40 AM]
7/12/2024	52	 Motion to Stay ORDER filed denying as moot motion for stay pending appeal under Rule 8/18 [10] filed by Appellant NeoGenomics Laboratories, Inc. By: Merits Panel (Per Curiam). Service as of this date by the Clerk of Court. [1017295] [MVH] [Entered: 07/12/2024 10:36 AM]
7/12/2024	51	OPINION filed for the court by Moore, Chief Judge; Taranto, Circuit Judge and Chen, Circuit Judge. Precedential Opinion. Service as of this date by the Clerk of Court. [1017293] [24-1324, 24-1409] [MVH] [Entered: 07/12/2024 10:35 AM]
6/12/2024	50	Citation of Supplemental Authority pursuant to Fed. R. App. P. 28(j) for Appellee Natera, Inc.. Service: 06/12/2024 by email. [1010659] [24-1324] [Jeffrey Lamken] [Entered: 06/12/2024 03:55 PM]
6/9/2024	49	Citation of Supplemental Authority pursuant to Fed. R. App. P. 28(j) for Appellant NeoGenomics Laboratories, Inc.. Service: 06/09/2024 by email. [1009781] [24-1324] [Deanne Maynard] [Entered: 06/09/2024 08:31 PM]
3/29/2024	48	Submitted after ORAL ARGUMENT to Panel: Moore, Chief Judge; Taranto, Circuit Judge and Chen, Circuit Judge. Arguing counsel: Deanne Maynard for NeoGenomics Laboratories, Inc. and Jeffrey A. Lamken for Natera, Inc. Oral Argument Audio available here . [994011] [MJL] [Entered: 04/01/2024 08:35 AM]

Filing Date	#	Docket Text
3/20/2024	47	6 paper copies of Doc. No. [41] received from Appellant NeoGenomics Laboratories, Inc. [991935] [IMH] [Entered: 03/20/2024 03:09 PM]
3/19/2024	46	6 paper copies of Doc. No. [39] received from Appellant NeoGenomics Laboratories, Inc.. [991743] [VDW] [Entered: 03/20/2024 10:24 AM]
3/19/2024	45	Notice of Related Case Information for Appellant NeoGenomics Laboratories, Inc.. Service: 03/19/2024 by email. [991441] [24-1324] [Deanne Maynard] [Entered: 03/19/2024 09:44 AM]
3/19/2024	44	Notice to Appellant NeoGenomics Laboratories, Inc.: The record of this case indicates that no Notice of Related Case Information under Fed. Cir. R. 47.5(b) has been filed. Failure to file required documents may result in dismissal or other action as deemed appropriate by the court. See FCR 25(h). Service as of this date by the Clerk of Court. [991416] [IMH] [Entered: 03/19/2024 09:02 AM]
3/18/2024	43	Certificate of Compliance with Fed. Cir. R. 25.1(c)(2) for Appellant NeoGenomics Laboratories, Inc.. Service: 03/18/2024 by email. [991370] [24-1324] [Deanne Maynard] [Entered: 03/18/2024 04:57 PM]
3/18/2024	42	MODIFIED ENTRY: APPENDIX FILED by Appellant NeoGenomics Laboratories, Inc. Service: 03/18/2024 by email. [991369] --[Edited 03/19/2024 by GWK - compliance review complete] [Deanne Maynard] [Entered: 03/18/2024 04:48 PM]
3/18/2024	41	MODIFIED ENTRY: CONFIDENTIAL APPENDIX FILED by Appellant NeoGenomics Laboratories, Inc. Service: 03/18/2024 by email. [991364] --[Edited 03/19/2024 by GWK - compliance review complete] Outstanding paper copies of the appendix must be submitted within five business days from the date of issuance of this notice. See Fed. Cir. R. 25(c)(3)(A). [Deanne Maynard] [Entered: 03/18/2024 04:35 PM]
3/18/2024	40	Amended Certificate of Interest for Appellant NeoGenomics Laboratories, Inc.. Service: 03/18/2024 by email. [991355] [24-1324] [Deanne Maynard] [Entered: 03/18/2024 04:11 PM]
3/18/2024	39	 Reply MODIFIED ENTRY: REPLY BRIEF FILED by Appellant NeoGenomics Laboratories, Inc. Service: 03/18/2024 by email. [991354] --[Edited 03/19/2024 by GWK - compliance review complete]. Outstanding paper copies of the reply brief must be submitted within five business days from the date of issuance of this notice. See Fed. Cir. R. 25(c)(3)(A). [Deanne Maynard] [Entered: 03/18/2024 04:05 PM]
3/14/2024	38	6 paper copies of Doc. No. [36] received from Appellee Natera, Inc.. [990656] [VDW] [Entered: 03/14/2024 01:38 PM]
3/14/2024	37	Clerk's Note to the File: The oral argument scheduled for 03/29/2024 will now be held in Courtroom 402. [990611] --[Edited 03/18/2024 by GWK to correct docket text] [MJL] [Entered: 03/14/2024 12:15 PM]

Filing Date

Docket Text

3/11/2024	36	 Response by Π MODIFIED ENTRY: RESPONSE BRIEF FILED by Appellee Natera, Inc. Service: <u>03/11/2024</u> by email. [989874] --[Edited <u>03/12/2024</u> by GWK - compliance review complete]. Outstanding paper copies of the response brief must be submitted within five business days from the date of issuance of this notice. See Fed. Cir. R. 25(c)(3)(A) [Jeffrey Lamken] [Entered: <u>03/11/2024 04:31 PM</u>]
3/11/2024	35	Entry of Appearance for Victoria F. Maroulis; Kevin P.B. Johnson; Sandra L. Haberny; Tara Srinivasan as counsel for Appellee Natera, Inc. Service: <u>03/07/2024</u> by email. [989699] [MVH] [Entered: <u>03/11/2024 10:53 AM</u>]
3/11/2024	34	 Order Granted ORDER filed granting motion for leave for Victoria F. Maroulis; Kevin P.B. Johnson; Sandra L. Haberny; Tara Srinivasan to appear as counsel [33] filed by Appellee Natera, Inc. By: Merits Panel (Per Curiam). Service as of this date by the Clerk of Court. [989698] [MVH] [Entered: <u>03/11/2024 10:52 AM</u>]
3/7/2024	33	 Motion to File by Π MOTION of Appellee Natera, Inc. for leave to file entry of appearance for Victoria F. Maroulis; Kevin P.B. Johnson; Sandra L. Haberny; Tara Srinivasan. Service: <u>03/07/2024</u> by email. [989206] [24-1324] [Kevin Smith] [Entered: <u>03/07/2024 04:17 PM</u>]
3/1/2024	32	NOTICE OF NON-COMPLIANCE: The submission of Appellee Natera, Inc., Entry of Appearance [31], is not in compliance with the rules of this court (see attached). Compliant document due on <u>03/08/2024</u>. Service as of this date by the Clerk of Court. [987650] [MVH] [Entered: <u>03/01/2024 09:02 AM</u>]
2/29/2024	31	Entry of Appearance for Victoria F. Maroulis; Sandra L. Haberny; Kevin P.B. Johnson as counsel for Appellee Natera, Inc.. Service: <u>02/29/2024</u> by email. [987586] [24-1324] [Kevin Smith] [Entered: <u>02/29/2024 04:03 PM</u>]
2/26/2024	30	 Response Response to notice of oral argument from Appellant NeoGenomics Laboratories, Inc.. Service: <u>02/26/2024</u> by email. [986495] [24-1324] [Deanne Maynard] [Entered: <u>02/26/2024 01:36 PM</u>]
2/23/2024	29	 Response by Π Response to notice of oral argument from Appellee Natera, Inc.. Service: <u>02/23/2024</u> by email. [986310] [24-1324] [Jeffrey Lamken] [Entered: <u>02/23/2024 05:46 PM</u>]
2/20/2024	27	Amended Certificate of Interest for Appellant NeoGenomics Laboratories, Inc.. Service: <u>02/20/2024</u> by email. [984737] [24-1324] [Deanne Maynard] [Entered: <u>02/20/2024 08:02 AM</u>]

Filing Date

Docket Text

2/20/2024	26	 Reply REPLY of Appellant NeoGenomics Laboratories, Inc. to response [25] . Service: 02/20/2024 by email. [984736] [24-1324] [Deanne Maynard] [Entered: 02/20/2024 08:00 AM]
2/16/2024	25	 Response by Π RESPONSE of Appellee Natera, Inc. to Doc No. [10] . Service: 02/16/2024 by email. [984355] [24-1324]--[Edited 02/16/2024 by GWK to upload text-searchable document] [Jeffrey Lamken] [Entered: 02/16/2024 08:45 AM]
2/14/2024	28	6 paper copies of Doc. No. [24] received from Appellant NeoGenomics Laboratories, Inc.. [985544] [VDW] [Entered: 02/22/2024 09:09 AM]
2/13/2024	24	MODIFIED ENTRY: CORRECTED OPENING BRIEF FILED by Appellant NeoGenomics Laboratories, Inc. Service: 02/13/2024 by email. [983366]--[Edited 02/13/2024 by GWK - compliance review complete] Outstanding paper copies of the opening brief must be submitted within five business days from the date of issuance of this notice. See Fed. Cir. R. 25(c)(3)(A) [Deanne Maynard] [Entered: 02/13/2024 11:44 AM]
2/13/2024	23	Notice of Correction to Doc No. [20] for Appellant NeoGenomics Laboratories, Inc.. Service: 02/13/2024 by email. [983360] [24-1324] [Deanne Maynard] [Entered: 02/13/2024 11:39 AM]
2/12/2024	22	Clerk's Note to the File: Outstanding paper copies of the opening brief must be submitted within five business days from the date of issuance of this notice. See Fed. Cir. R. 25(c)(3) (A). [983183] [GWK] [Entered: 02/12/2024 04:15 PM]
2/12/2024	21	NOTICE OF ORAL ARGUMENT. Panel: 2403M. Case scheduled March 29, 2024 . Response to Notice of Oral Argument due: 02/26/2024 . Please review the attached Notice. The response to notice of oral argument form can be found here . The Oral Argument Guide can be found here . Service as of this date by the Clerk of Court. [983177] [MJL] [Entered: 02/12/2024 03:48 PM]
2/9/2024	20	MODIFIED ENTRY: OPENING BRIEF FILED by Appellant NeoGenomics Laboratories, Inc. Service: 02/09/2024 by email. [982929]--[Edited 02/09/2024 by GWK - compliance review complete] This document has been corrected. See Doc No. [24] [Deanne Maynard] [Entered: 02/09/2024 03:34 PM]
2/8/2024	19	Note to File: The following cases are consolidated: 24-1324 lead, with 24-1409 member. The parties must file all documents in the lead appeal only. [982377] [24-1324, 24-1409] [GWK] [Entered: 02/08/2024 08:46 AM]
2/6/2024	18	 Reply REPLY of Appellant NeoGenomics Laboratories, Inc. to response [16] . Service: 02/06/2024 by email. [982068] [24-1324] [Deanne Maynard] [Entered: 02/06/2024 10:46 PM]

Filing Date

Docket Text

2/6/2024	17	 Order ORDER filed; The above-captioned appeals are consolidated. One set of briefing should be filed for the two appeals. The revised official caption is reflected in this order. Natera's motion to extend time is granted to the extent that Natera's response to the remainder of NeoGenomics' stay request is due no later than 9:00 am Eastern time on <u>February 16, 2024</u>, and any reply is due no later than 9:00 am Eastern time on <u>February 20, 2024</u>. NeoGenomics motion to expedite these appeals is granted. The consolidated opening brief on the merits is due by 5:00 pm Eastern time on <u>February 9, 2024</u>; the response brief is due by 5:00 pm Eastern time on <u>March 11, 2024</u>; and the reply brief and the joint appendix are due by 5:00 pm Eastern time on <u>March 18, 2024</u>. No further extensions should be anticipated. Absent objection filed with the court no later than 5:00 pm Eastern time on <u>February 8, 2024</u>, oral argument on the appeals will be scheduled for 1:00 pm Eastern time on <u>March 29, 2024</u>. Any objection based on a scheduling conflict must show good cause accompanied by supporting declarations and provide a list of available dates. (Per Curiam). Service as of this date by the Clerk of Court. [982061] [24-1324, 24-1409] [LMS] [Entered: <u>02/06/2024 06:21 PM</u>]
2/6/2024	16	 Response by N RESPONSE of Appellee Natera, Inc. to Doc No. [10]. Service: <u>02/06/2024</u> by email. [982003] [24-1324] [Jeffrey Lamken] [Entered: <u>02/06/2024 03:47 PM</u>]
2/6/2024	15	Notice of Related Case Information for Appellee Natera, Inc.. Service: <u>02/06/2024</u> by email. [981981] [24-1324] [Jeffrey Lamken] [Entered: <u>02/06/2024 03:02 PM</u>]
2/6/2024	14	 Motion to Extend Time to File Brief by N MOTION of Appellee Natera, Inc. to extend the time to <u>02/16/2024</u> to file brief. Service: <u>02/06/2024</u> by email. [981980] [24-1324] [Jeffrey Lamken] [Entered: <u>02/06/2024 02:58 PM</u>]
2/6/2024	13	Entry of Appearance for Jeffrey A. Lamken; Robert K. Kry; Sara E. Margolis; Lauren M. Weinstein; Jonathan E. Barbee; Walter H Hawes IV as counsel for Appellee Natera, Inc.. Service: <u>02/06/2024</u> by email. [981971] [24-1324] [Jeffrey Lamken] [Entered: <u>02/06/2024 02:46 PM</u>]
2/6/2024	12	Letter from Appellant NeoGenomics Laboratories, Inc. re Motions Briefing Schedule for the Emergency Motion to Stay Preliminary Injunction Pending Appeal and Motion to Expedite. Service: <u>02/06/2024</u> by email. [981867] [24-1324] [Deanne Maynard] [Entered: <u>02/06/2024 01:04 PM</u>]
2/5/2024	11	Confidential Addendum filed by Appellant NeoGenomics Laboratories, Inc. corresponding to Doc. No. [10]. Service: <u>02/05/2024</u> by email. [981762] [24-1324] [Deanne Maynard] [Entered: <u>02/05/2024 06:45 PM</u>]
2/5/2024	10	 Motion to Stay MOTION of Appellant NeoGenomics Laboratories, Inc. for an emergency stay pending appeal under Rule 8/18. Service: <u>02/05/2024</u> by email. [981750] [24-1324] [Deanne Maynard] [Entered: <u>02/05/2024 06:02 PM</u>]

Filing Date

Docket Text

1/22/2024	9	Amended Entry of Appearance for Deanne E. Maynard; Edward R. Reines; John Franklin Morrow Jr. as counsel for Appellant NeoGenomics Laboratories, Inc.. Service: <u>01/22/2024</u> by email. [978253] [24-1324] [Deanne Maynard] [Entered: <u>01/22/2024 03:56 PM</u>]
1/18/2024	8	Docketing Statement for the Appellee Natera, Inc.. Service: <u>01/18/2024</u> by email. [977436] [24-1324] [Kevin Smith] [Entered: <u>01/18/2024 02:42 PM</u>]
1/18/2024	7	Certificate of Interest for Appellee Natera, Inc.. Service: <u>01/18/2024</u> by email. [977432] [24-1324] [Kevin Smith] [Entered: <u>01/18/2024 02:32 PM</u>]
1/18/2024	6	Entry of Appearance for Kevin Smith as counsel for Appellee Natera, Inc.. Service: <u>01/18/2024</u> by email. [977429] [24-1324] [Kevin Smith] [Entered: <u>01/18/2024 02:26 PM</u>]
1/14/2024	5	Entry of Appearance for Deanne E. Maynard; Daralyn J. Durie; Seth W. Lloyd as counsel for Appellant NeoGenomics Laboratories, Inc.. Service: <u>01/14/2024</u> by email. [976595] [24-1324] [Deanne Maynard] [Entered: <u>01/14/2024 04:33 PM</u>]
1/11/2024	4	Docketing Statement for the Appellant NeoGenomics Laboratories, Inc.. Service: <u>01/11/2024</u> by email. [976264] [24-1324] [Edward Reines] [Entered: <u>01/11/2024 07:54 PM</u>]
1/11/2024	3	Certificate of Interest for Appellant NeoGenomics Laboratories, Inc.. Service: <u>01/11/2024</u> by email. [976263] [24-1324] [Edward Reines] [Entered: <u>01/11/2024 07:52 PM</u>]
1/11/2024	2	Entry of Appearance for Edward R. Reines; Derek C. Walter as counsel for Appellant NeoGenomics Laboratories, Inc.. Service: <u>01/11/2024</u> by email. [976262] [24-1324] [Edward Reines] [Entered: <u>01/11/2024 07:49 PM</u>]
1/4/2024	1	Appeal docketed. Received: <u>12/28/2023</u> [974624] Entry of Appearance is due on <u>01/18/2024</u> . Certificate of Interest is due on <u>01/18/2024</u> . Docketing Statement is due on <u>01/18/2024</u> . Appellant's brief is due on <u>03/04/2024</u> . [GWK] [Entered: <u>01/04/2024 03:25 PM</u>]

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