

NOTE: This order is nonprecedential.

**United States Court of Appeals  
for the Federal Circuit**

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**LARRY GOLDEN,**  
*Plaintiff-Appellant*

v.

**APPLE INC.,**  
*Defendant-Appellee*

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2023-1161

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Appeal from the United States District Court for the Northern District of California in No. 3:22-cv-04152-VC, Judge Vince Chhabria.

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**ON MOTION**

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PER CURIAM.

**O R D E R**

Apple Inc. moves for this court to take judicial notice of certain documents filed in the United States Court of Federal Claims and United States district courts, which Apple attaches to its motion and cites in its response brief. Apple has not, however, included all these documents in its supplemental appendix. Larry Golden opposes this motion and files a supplemental appendix.

Judicial notice of public records, such as court records, is proper when they are from sources whose accuracy cannot reasonably be questioned. See Fed. R. Evid. 201(b); *Genentech, Inc. v. U.S. Int'l Trade Comm'n*, 122 F.3d 1409, 1417 n.7 (Fed. Cir. 1997). Thus, the court may take judicial notice of the fact that the documents attached to Apple's motion were filed with the respective courts. The relevance of such material, if any, will be left to the merits panel.

Accordingly,

IT IS ORDERED THAT:

(1) The motion is granted to the extent that, within 14 days from the date of entry of this order, Apple is directed to file a corrected response brief and corrected supplemental appendix; the corrected supplemental appendix shall include the documents attached to Apple's motion and the corrected response brief shall cite to those documents using the pagination in its corrected supplemental appendix.

(2) Mr. Golden's supplemental appendix (ECF No. 11) is accepted for filing.

(3) The Clerk of Court shall transmit a copy of this order to the merits panel assigned to this case.

FOR THE COURT

February 7, 2023  
Date

/s/ Peter R. Marksteiner  
Peter R. Marksteiner  
Clerk of Court