

NOTE: This order is nonprecedential.

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

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**U.S. WATER SERVICES, INC.,**  
*Plaintiff/Counterclaim Defendant-Appellant,*

AND

**GLOBAL PROCESS TECHNOLOGIES, INC. AND  
ROY JOHNSON,**  
*Counterclaim Defendants-Appellants,*

v.

**CHEMTREAT, INC.,**  
*Defendant/Counterclaimant-Appellee.*

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2013-1236

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Appeal from the United States District Court for the  
District of Minnesota in No. 11-CV-895, Judge Patrick J.  
Schiltz.

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Before REYNA, WALLACH, and HUGHES, *Circuit Judges.*  
PER CURIAM.

**ORDER**

In *Wawrzynski v. H.J. Heinz Co.*, 728 F.3d 1374, 1379  
(Fed. Cir. 2013), this court held that it lacked jurisdiction

under 28 U.S.C. § 1295(a)(1) (2006), and transferred the case to the relevant regional circuit. As in *Wawrzynski*, the district court in this case exercised diversity jurisdiction over the plaintiff's state law claims, and the defendant filed patent law counterclaims. Also like *Wawrzynski*, the plaintiff's Complaint was filed before recent amendments to 28 U.S.C. § 1295(a)(1) took effect on September 16, 2011. See Leahy-Smith America Invents Act, Pub. L. No. 112-29, § 19(b),(e), 125 Stat. 284, 332–33 (2011).

Accordingly,

IT IS ORDERED THAT:

The parties are directed to show cause, within 15 days of the date of filing this order, why this appeal should not be transferred to the U.S. Court of Appeals for the Eighth Circuit, pursuant to *Wawrzynski v. H.J. Heinz Co.*, 728 F.3d 1374, 1379 (Fed. Cir. 2013), *Holmes Group., Inc. v. Vornado Air Circulation Systems, Inc.*, 535 U.S. 826, 829 (2002), and related cases.

FOR THE COURT

June 6, 2014

Date

/s/ Daniel E. O'Toole

Daniel E. O'Toole

Clerk of Court