

NOTE: This disposition is nonprecedential.

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

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**PATTI DONNER RUBIN,**  
*Plaintiff-Appellant,*

v.

**SCOTTS COMPANY LLC,**  
*Defendant-Appellee.*

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2014-1319

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Appeal from the United States District Court for the District of Nevada in No. 2:09-cv-02419-GMN-VCF, Judge Gloria M. Navarro.

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**JUDGMENT**

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JOHN R. POSTHUMUS, Sheridan Ross P.C., of Denver, Colorado, argued for plaintiff-appellant.

JENNIFER L. SWIZE, Jones Day, of Washington, DC, argued for defendant-appellee. With her on the brief were WILLIAM C. ROOKLIDGE and MICHELLE STOVER, of Irvine California.

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THIS CAUSE having been heard and considered, it is

ORDERED and ADJUDGED:

PER CURIAM (REYNA, CLEVINGER, and WALLACH,  
*Circuit Judges*).

**AFFIRMED. See Fed. Cir. R. 36.**

ENTERED BY ORDER OF THE COURT

November 7, 2014  
Date

/s/ Daniel E. O'Toole  
Daniel E. O'Toole  
Clerk of Court