IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

MICRON TECHNOLOGY, INC., MICRON SEMICONDUCTOR PRODUCTS, INC., and MICRON TECHNOLOGY TEXAS LLC

Petitioners,

v.

NETLIST, INC.,

Patent Owner.

Case No. IPR2023-00405

U.S. Patent No. 11,232,054

DECLARATION OF MICHAEL R. RUECKHEIM IN SUPPORT OF MOTION FOR PRO HAC VICE ADMISSION

Pursuant to 37 C.F.R. § 1.68, I, Michael R. Rueckheim, attest to the following:

1. I am a member in good standing of the Bars of the State of Texas, California, New York and admitted to practice in the following Federal Courts:

a. United States Court of Appeals for the Federal Circuit;

b. United States Court of Appeals for the Fifth Circuit;

c. United States District Court for the Western District of Texas;

d. United States District Court for the Eastern District of Texas;

e. United States District Court for the Northern District of Texas;

f. United States District Court for the Southern District of Texas;

g. United States District Court for the Northern District of California;

h. United States District Court for the Southern District of New York;

i. United States District Court for the Northern District of Illinois; and

j. United States District Court for the Eastern District of Wisconsin.

2. I have not been suspended or disbarred from practice before any court or administrative body.

3. I have never had an application for admission to practice before any court or administrative body denied.

4. I have never had sanctions or contempt citations imposed by any court or administrative body imposed against me.

5. I have read and will comply with the Office Patent Trial Practice Guide

and the Board's Rules of Practice for Trials set forth in Part 42 of Title 37, Code of Federal Regulations.

6. I will be subject to the USPTO Code of Professional Responsibility set forth in 37 C.F.R. §§ 11.101 *et seq.*, and to disciplinary jurisdiction under 37 C.F.R. § 11.19(a).

7. In the last three years, I have appeared *pro hac vice* before the Board, Case Nos. IPR2020-00859, IPR2020-01081, IPR2020-01383, IPR2021-00343, IPR2021-00344, IPR2021-00345, IPR2021-00940, IPR2021-00941, IPR2022-00236, IPR2022-00744, and IPR2022-00745. I am concurrently applying to appear *pro hac vice* in another related matter before the Board, specifically Case No. IPR2023-00406.

8. I am counsel for Petitioners in *Netlist, Inc. v. Micron Technology, Inc., Micron Semiconductor Productors, Inc. Micron Technology Texas, LLC,* Civil Action No. 22-CV-203 (E.D. Tex.), filed on June 10, 2022 where the '054 patent is currently being asserted.

9. I am a litigation attorney and have been involved in multiple patent infringement cases in federal courts across the country. I have sixteen (16) years of patent litigation experience. I have obtained substantial familiarity with the involved patent, the prior art, and the various issues raised in this proceeding. I was involved in the preparation of the Petitioners' Petition, am familiar with the subject

matter involved in this proceeding and have reviewed the Petition and the cited materials.

10. I have a Bachelor of Science from the University of Texas, received in 2000.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: September 12, 2023 */Michael R. Rueckheim/*

Michael R. Rueckheim