IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

IN RE NEO WIRELESS, LLC PATENT LITIG.	§ § § § § § §	2:22-MD-03034-TGB HON. TERRENCE G. BERG
NEO WIRELESS, LLC v. VOLKSWAGEN GROUP OF AMERICA, INC., ET AL.	§ § § § § §	2:22-CV-11404-TGB HON. TERRENCE G. BERG

NOTICE OF STIPULATION REGARDING CLAIM CONSTRUCTION

In the parties' Joint Claim Construction Statement filed on January 18, 2023 (Dkt. 114), Defendants Volkswagen Group of America, Inc. and Volkswagen Group of America Chattanooga Operations, LLC ("Volkswagen") noted in a footnote to Exhibits A and B that they do not take a position on the claim constructions proposed by the other parties to this Multi-District Litigation. Plaintiff Neo Wireless, LLC ("Neo") noted its objection in footnotes to the same document.

Since that filing, Volkswagen and Neo have met and conferred regarding the dispute, and have agreed to resolve the dispute and clarify Volkswagen's position by entering the following stipulation:

1. Volkswagen will be bound by and will not challenge the Court's claim constructions regarding U.S. Patent Nos. 8,467,366; 10,075,941; 10,447,450; 10,771,302; 10,833,908; or 10,965,512 issued in the above-referenced district court matters, and waives any right to appeal the claim constructions issued by Judge Berg in those matters on these patents;
2. In any IPR proceedings filed or joined by Volkswagen against U.S. Patent Nos. 8,467,366; 10,075,941; 10,447,450; 10,771,302; 10,833,908; or 10,965,512 (including but not limited to IPR2022-01537, IPR2022-01538, IPR2022-01539, IPR2022-01567, IPR2023-00086, and IPR2023-00426), should the Patent Trial and Appeal Board adopt any claim construction that was also proposed by the parties in the above-referenced MDL and adopted by Judge Berg, Volkswagen will not challenge those constructions by the PTAB and also waives any right to appeal those claim constructions.

The parties below so stipulate.

Date: January 25, 2023

Respectfully submitted,

/s/Daniel E. Yonan
Susan M. McKeever
Justin B. Weiner
Bush Seyferth PLLC
100 West Big Beaver Road
Suite 400
Troy, MI 48084
(248) 822-7851
mckeever@bsplaw.com
weiner@bsplaw.com

/s/ Jason D. Cassady
Jason D. Cassady
Texas State Bar No. 24045625
Email: jcassady@caldwellcc.com
Christopher S. Stewart
Texas State Bar No. 24079399
Email: cstewart@caldwellcc.com
Daniel R. Pearson
Texas State Bar No. 24070398
Email: dpearson@caldwellcc.com

Daniel E. Yonan
Deirdre M. Wells
Ryan C. Richardson
William H. Milliken
Anna G. Phillips
Sterne, Kessler, Goldstein & Fox P.L.L.C
1100 New York Avenue NW
Suite 600
Washington, DC 20005
(202) 371-2600
dyonan@sternekessler.com
dwells@sternekessler.com
rrichardson@sternekessler.com
wmilliken@sternekessler.com
aphillips@sternekessler.com

Counsel for Defendants Volkswagen Group of America, Inc. and Volkswagen Group of America Chattanooga Operations, Inc.

Bailey A. Blaies
Texas State Bar No. 24109297
Email: bblaies@caldwellcc.com
CALDWELL CASSADY CURRY P.C.
2121 N. Pearl St., Suite 1200
Dallas, Texas 75201
Telephone: (214) 888-4848
Facsimile: (214) 888-4849

Jaye Quadrozzi (P71646)
YOUNG, GARCIA & QUADROZZI, PC
2775 Stansbury Blvd., Suite 125
Farmington Hills, MI 48334
Telephone: (248) 353-8620
Email: quadrozzi@youngpc.com

Attorneys for Plaintiff NEO WIRELESS, LLC

CERTIFICATE OF SERVICE

The undersigned certifies that on January 25, 2023, the foregoing document was filed electronically with the Clerk of Court using the CM/ECF system, which will send notification of such filing to all attorneys of record.

/s/ Jason D. Cassady
Jason D. Cassady