

Subject: RE: IPR2024-00183, -00185, -00186 - Sotera Stipulation [MB-CLIENTFILES.FID624030]
Date: Friday, November 22, 2024 at 10:15:04 PM Mountain Standard Time
From: Kirk R. Harris
To: Kevin Laurence
CC: Byer, Ben, Rosenthal, Greg, Hunt, Sam, Seth Black, Matthew Phillips, Derek Meeker, Erynn Embree

Confirmed.

Kirk Harris
maschoff brennan

From: Kevin Laurence <klaurence@lpiplaw.com>
Sent: Friday, November 22, 2024 10:09 PM
To: Kirk R. Harris <KHarris@mabr.com>
Cc: Byer, Ben <BenByer@dwt.com>; Rosenthal, Greg <GregRosenthal@dwt.com>; Hunt, Sam <SamHunt@dwt.com>; Seth Black <seth@blkip.com>; Matthew Phillips <mphillips@lpiplaw.com>; Derek Meeker <dmeeker@lpiplaw.com>; Erynn Embree <EEmbree@mabr.com>
Subject: Re: IPR2024-00183, -00185, -00186 - Sotera Stipulation

CAUTION: External Sender

Kirk,

As litigation counsel for National Beef, please confirm that the *Sotera* stipulation below binds National Beef in the related district court proceeding, *Inst. for Env'tl. Health, Inc. v. Nat'l Beef Packing Co., LLC*, No. 1:23-cv-00826 (D. Del. Aug. 1, 2023).

Best regards, Kevin

Kevin B. Laurence, Partner
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From: Kevin Laurence <klaurence@lpiplaw.com>
Date: Monday, November 18, 2024 at 1:21 PM
To: "Byer, Ben" <BenByer@dwt.com>, "Rosenthal, Greg" <GregRosenthal@dwt.com>, "Hunt, Sam" <SamHunt@dwt.com>
Cc: Seth Black <seth@blkip.com>, Matthew Phillips <mphillips@lpiplaw.com>, Derek Meeker <dmeeker@lpiplaw.com>
Subject: IPR2024-00183, -00185, -00186 - Sotera Stipulation

Counsel:

In accordance with the Board's precedential decision in *Sotera Wireless, Inc. v. Masimo Corp.*, IPR2020-01019, Paper 12 at 18-19 (Dec. 1, 2020) (precedential as to § II.A) and the USPTO Director's June 21, 2022 Memorandum titled Interim Procedure for Discretionary Denials in AIA Post-Grant Proceedings with Parallel District Court Litigation, National Beef agrees that if IPR Nos. IPR2024-00183, IPR2024-00185, and IPR2024-00186 are instituted, National Beef will not pursue in the related district court proceeding, *Inst. for Env'tl. Health, Inc. v. Nat'l Beef Packing Co., LLC*, No. 1:23-cv-00826 (D. Del. Aug. 1, 2023), any ground National Beef raised or reasonably could have raised in the aforementioned IPRs. 35 U.S.C. § 315(e)(2).

Best regards, Kevin

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