

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

HEWLETT PACKARD ENTERPRISE COMPANY and
CISCO SYSTEMS, INC.,
Petitioners,

v.

COBBLESTONE WIRELESS LLC,
Patent Owner.

Case IPR2024-00707
Patent 7,924,802

**PATENT OWNER'S UNOPPOSED MOTION TO STAY
EX PARTE REEXAMINATION CONTROL NUMBER 90/019,458
PURSUANT TO 35 U.S.C. § 315(d)**

TABLE OF CONTENTS

	Page
I. INTRODUCTION AND STATEMENT OF RELIEF REQUESTED.....	1
II. PROCEDURAL HISTORY	2
A. The Reexamination Of The Patent-At-Issue	2
B. The Present IPR Of The Patent-At-Issue	3
III. THE BOARD SHOULD STAY THE '458 REEXAMINATION.....	3
A. Factor 1 Favors A Stay Because All IPR Claims Are Also At Issue In The Reexamination.....	6
B. Factor 2 Favors A Stay Because Both Proceedings Involve Substantially Identical Shearer References.....	7
C. Factor 3 Favors A Stay Because Concurrent Office Proceedings Duplicate Efforts Within The Office.....	10
D. Factor 4 Favors A Stay Because The Concurrent Office Proceedings Could Yield Inconsistent Results.	11
E. Factor 5 Favors A Stay Because Amending Claims In Reexam Would Affect The Claim Scope In The IPR.	12
F. Factors 6 And 7 Favor A Stay.....	12
G. Factor 8 Favors A Stay Because The IPR Would Likely Simplify The Issues In The Reexamination.	13
IV. CONCLUSION	14

TABLE OF AUTHORITIES

	Page(s)
FEDERAL REGULATIONS	
37 C.F.R. § 42.100(c).....	13
37 C.F.R. § 42.122(a).....	4
ADMINISTRATIVE DECISIONS	
<i>Avaya Inc. v. Network-1 Sec. Sols., Inc.</i> , IPR2013-00071, Paper 9 (PTAB Dec. 21, 2012)	9, 10
<i>BMW of N. Am., LLC v. Foras Techs. Ltd.</i> , IPR2023-01373, Paper 15 (PTAB Jun. 21, 2024)	5, 10, 12
<i>Celltrion, Inc. v. Regeneron Pharms., Inc.</i> , IPR2023-00462, Paper 17 (PTAB Sep. 8, 2023).....	6, 12
<i>Google LLC v. EcoFactor, Inc.</i> , IPR2021-00054, Paper 12 (PTAB Jun. 28, 2021)	9, 10
<i>Hope Med. Enters., Inc. v. Oregon Health & Sci. Univ.</i> , IPR2022-00123, Paper 11 (PTAB May 9, 2022)	13
<i>Juniper Networks, Inc. v. Monarch Networking Sols. LLC</i> , IPR2024-00175, Paper 19 (PTAB Sept. 11, 2024).....	5
<i>Lumondi Inc. v. Lennon Image Techs. LLC</i> , IPR2013-00432, Paper 7 (PTAB Aug. 6, 2013).....	10
<i>Mueller Sys., LLC v. Rein Tech, Inc.</i> , IPR2020-00098, Paper 13 (PTAB May 15, 2020)	6, 14
<i>Mueller Sys., LLC v. Rein Tech, Inc.</i> , IPR2020-00100, Paper 11 (PTAB May 14, 2020)	6, 11
<i>Netnut Ltd v. Bright Data Ltd.</i> , IPR2021-01492, Paper 14 (PTAB Apr. 7, 2022)	7
<i>Pfizer Inc. v. Hoffman-La Roche Inc.</i> , IPR2018-01219, Paper 13 (PTAB Dec. 18, 2018)	7
<i>Quest Diagnostics, Inc. v. Ravgen, Inc.</i> , IPR2021-00791, Paper 25 (PTAB Dec. 15, 2021)	8

<i>Tesla, Inc. v. Graphite Charging Co., LLC,</i> IPR2024-00388, Paper 22 (PTAB Oct. 7, 2024).....	5
---	---

<i>Toshiba Memory Corp. v. Anza Tech., Inc.,</i> IPR2018-01597, Paper 38 (PTAB July 10, 2019).....	6
---	---

STATUTES

35 U.S.C. § 305	13
-----------------------	----

RULES, RULEMAKING, AND OTHER AGENCY AUTHORITIES

Notice Regarding Options for Amendments by Patent Owner Through Reissue or Reexamination During a Pending AIA Trial Proceeding, 84 Fed. Reg. 16,654, 16,657 (Apr. 22, 2019).....	4
--	---

PATENT OWNER'S SUPPLEMENTAL EXHIBIT LIST	
2001	Declaration of Professor Todor V. Cooklev, Ph.D. [Cooklev-Decl.]
2002	Curriculum Vitae of Professor Todor v. Cooklev, Ph.D.
2003	Federal Court Management Statistics for the Eastern District of Texas through December 2023, available at https://www.uscourts.gov/statistics-reports/federal-court-management-statistics-december-2023 [Trial-Statistics]
2004	<i>Cobblestone Wireless, LLC v. Cisco Systems Inc. et al.</i> , No. 2:23-cv-00454, Docket as of June 26, 2024
2005	<i>Cobblestone Wireless, LLC v. Cisco Systems Inc. et al.</i> , No. 2:23-cv-00454, Defendants' Invalidity Contentions for U.S. Patent No. 7,924,802 (E.D. Tex., served Feb. 26, 2024) [Invalidity-Contentions]
2006	United States Patent No. 7,742,388 [Shearer-Patent]
2007	<i>MyPort, Inc. v. Samsung Electronics Co., Ltd.</i> , No. 2:22-cv-00114, Dkt. No. 73 (E.D. Tex. Jun. 13, 2023) (order denying motion to stay) [Stay-Denial-Order]
2008	Declaration of Nathan Lowenstein in support of Motion for Admission <i>Pro Hac Vice</i>
2009	Request for <i>Ex Parte</i> Reexamination Control No. 90/019,458, [Request]
2010	Order Granting <i>Ex Parte</i> Reexamination in <i>Ex Parte</i> Reexamination Control No. 90/019,458 [Decision Granting EPR]

2011	Non-Final Office Action in <i>Ex Parte</i> Reexamination Control No. 90/019,458 [NFOA]
2012	Notice Regarding Options for Amendments by Patent Owner Through Reissue or Reexamination During a Pending AIA Trial Proceeding. 84 Fed. Reg. 16,654, 16,657 (Apr. 22, 2019) [2019 Notice]
2013	Chart Comparing Ex. 1007 with Ex. 2006 [Shearer Comparison]

I. INTRODUCTION AND STATEMENT OF RELIEF REQUESTED

Patent Owner respectfully requests that the Board order a stay of *ex parte* reexamination control number 90/019,458, of U.S. Patent 7,924,802 (the “’802 patent”), the same patent that is at issue here, pending resolution of the present *inter partes* review. Patent Owner further respectfully requests expedited ruling on this motion in light of the fact that the motion is unopposed and the upcoming deadlines in the *ex parte* reexamination, including completion of an examiner interview and submission of a response to the Office Action, by January 23, 2025.

As this Motion explains, the factors set in Office guidance for determining whether to stay a reexamination in favor of a parallel IPR all favor a stay. Each of the two proceedings challenge an overlapping set of claims of the ’802 Patent over substantively identical art. Specifically, this IPR challenges claims 1-4 and 9 based on U.S. Patent App. Pub. No. 2006/0018249 to Shearer (Ex. 1007), and the reexamination challenges, *inter alia*, the same claims based on U.S. Patent 7,742,388 to Shearer (Ex. 2006). The Shearer Patent (Ex. 2006) is the patent that issued from the Shearer Patent App. Pub. (Ex. 1007) and has substantially identical disclosures to it. Without a stay, the co-pending IPR and reexamination risk duplicative administrative and judicial efforts and inconsistent decisions.

The Board authorized this Motion via email on November 25, 2024.

Petitioner states that it does not oppose this motion.

II. PROCEDURAL HISTORY

A. The Reexamination Of The Patent-At-Issue

On March 26, 2024, one week after the petition for IPR was filed in the present case, a third party (Unified Patents, LLC or “Unified”) filed a request for *ex parte* reexamination of claims 1-15 and 17-23 of the ’802 patent. Ex. 2009 [Request]. The Request for Reexamination challenged, *inter alia*, claims 1-9 as anticipated and/or obvious over the Shearer Patent (U.S. Patent 7,742,388, Ex. 2006) in combination with other art. Ex. 2009 [Request], 14 (summarizing reexamination grounds). It was accompanied by lengthy exhibits and an expert declaration.

On June 13, 2024, the Office ordered reexamination of the challenged claims of the Patent as requested. Ex. 2010 [Decision Granting EPR].

On October 23, 2024, the assigned Examiner in the Reexamination issued an office action that entered non-final rejections of all claims under reexamination. Ex. 2011 [NFOA]. Among other things, the Non-Final Office Action rejects claims 1-4 as anticipated by Shearer (Ex. 2011 [NFOA], 4), and dependent claims 5-9 as obvious based on Shearer in view of secondary references (Ex. 2011 [NFOA], 21, 30, 32). The Shearer reference relied upon by the Non-Final Office Action has substantially identical disclosure to the Shearer reference that forms the basis of Petitioner’s second ground in its Petition here. *See infra* Section IV.

Patent Owner's response to the Non-Final Office Action in the '458 Reexamination is due on January 23, 2025.

B. The Present IPR Of The Patent-At-Issue

The Petition for *inter partes* review in the present IPR was filed on March 19, 2024, challenging claims 1-9 of the '802 Patent. Pet., 22. Specifically, the Petition's Ground 2 alleges that claims 1-4 and 9 are obvious over the Shearer Patent Application Publication (U.S. App. Pub. No. 2006/0018249 (Ex. 1007)) alone. The Shearer Patent Application Publication is substantively identical to the Shearer Patent at issue in the Reexamination. *See infra* Section IV.

Patent Owner filed a preliminary response to the Petition in this IPR on June 27, 2024. Following additional briefing, the assigned Board panel ordered institution of IPR on September 24, 2024. Paper 17.

The statutory deadline for a final written decision in this IPR is September 24, 2025.

III. THE BOARD SHOULD STAY THE '458 REEXAMINATION.

The Board will "ordinarily" stay a parallel proceeding when there is an overlapping set of claims at issue:

[T]he Board ordinarily will stay a parallel Office proceeding where good cause exists. Good cause for staying a case may exist if, for example, an on-going AIA proceeding, which is subject to statutory

deadlines, is addressing the same or overlapping claims of a patent at issue in a parallel Office proceeding.

Notice Regarding Options for Amendments by Patent Owner Through Reissue or Reexamination During a Pending AIA Trial Proceeding, 84 Fed. Reg. 16,654, 16,657 (Apr. 22, 2019) (Ex. 2012 [2019 Notice]); *see also* 37 C.F.R. § 42.122(a) (“Where another matter involving the patent is before the Office, the Board may during the pendency of the *inter partes* review enter any appropriate order regarding the additional matter including providing for the stay, transfer, consolidation, or termination of any such matter.”); 35 U.S.C. § 315(d).

The 2019 Notice sets out eight non-exclusive factors to consider in determining when there is good cause for a stay of such Office proceedings:

1. Whether the claims challenged in the AIA proceeding are the same as or depend directly or indirectly from claims at issue in the concurrent parallel Office proceeding;
2. Whether the same grounds of unpatentability or the same prior art are at issue in both proceedings;
3. Whether the concurrent parallel Office proceeding will duplicate efforts within the Office;
4. Whether the concurrent parallel Office proceeding could result in inconsistent results between proceedings (*e.g.*, whether substantially similar issues are presented in the concurrent parallel Office proceeding);

5. Whether amending the claim scope in one proceeding would affect the claim scope in another proceeding;
6. The respective timeline and stage of each proceeding;
7. The statutory deadlines of the respective proceedings;
8. Whether a decision in one proceeding would likely simplify issues in the concurrent parallel Office proceeding or render it moot.

Ex. 2012 [2019 Notice] 9.

The Board has routinely applied these eight factors to grant requests by patent owners, both unopposed and opposed, to stay concurrent parallel Office proceedings involving the same or overlapping claims of a patent at issue in an IPR. *See, e.g., Tesla, Inc. v. Graphite Charging Co., LLC*, IPR2024-00388, Paper 22, 3-12 (PTAB Oct. 7, 2024) (applying Notice factors to find good cause to stay reexamination); *BMW of N. Am., LLC v. Foras Techs. Ltd*, IPR2023-01373, Paper 15, 4-7 (PTAB Jun. 21, 2024) (same); *Juniper Networks, Inc. v. Monarch Networking Sols. LLC*, IPR2024-00175, Paper 19, 3-7 (PTAB Sept. 11, 2024) (same).

Here, both individually and collectively, the eight factors set forth in the 2019 Notice decisively show that good cause supports the present request for a stay of the concurrent parallel reexamination of the Patent-At-Issue.

A. Factor 1 Favors A Stay Because All IPR Claims Are Also At Issue In The Reexamination.

Factor 1 addresses whether the claims challenged in the AIA proceeding are the same as or depend directly or indirectly from claims at issue in the concurrent parallel Office proceeding. This factor favors a stay.

All claims challenged in the present IPR (claims 1-9) are also at issue in the parallel reexamination. The Board routinely finds that a stay should be granted when all claims challenged in the IPR are also at issue in the parallel reexamination. *See, e.g., Mueller Sys., LLC v. Rein Tech, Inc.*, IPR2020-00100, Paper 11, 4 (PTAB May 14, 2020) (“All of the claims challenged in this proceeding are subject to reexamination in the Reexamination Proceeding. . . . This factor favors a stay.”); *Celltrion, Inc. v. Regeneron Pharms., Inc.*, IPR2023-00462, Paper 17, 3 (PTAB Sep. 8, 2023) (same).

This factor favors a stay even though there are more claims at issue in the ’458 reexamination (claims 1-15 and 17-23) than in this IPR (claims 1-9). Even where the reexamination challenges more claims than the IPR, “[g]iven the partial overlap between the challenged claims in this IPR proceeding and the claims at issue in the parallel reexamination proceeding, the first factor favors staying the reexamination proceeding.” *Mueller Sys., LLC v. Rein Tech, Inc.*, IPR2020-00098, Paper 13, 4 (PTAB May 15, 2020); *see also Toshiba Memory Corp. v. Anza Tech., Inc.*, IPR2018-01597, Paper 38, 3 (PTAB July 10, 2019) (staying reexamination

involving a single overlapping claim as well as additional, non-overlapping claims); *Pfizer Inc. v. Hoffman-La Roche Inc.*, IPR2018-01219, Paper 13, 2–3 (PTAB Dec. 18, 2018) (staying parallel reexamination where only a single claim overlapped with IPR); *Netnut Ltd v. Bright Data Ltd.*, IPR2021-01492, Paper 14, 3 (PTAB Apr. 7, 2022) (“All claims challenged in this proceeding, with the exception of claim 23, are subject to reexamination in the ’875 Reexamination Proceeding. . . . This factor favors a stay.”).

Factor 1 strongly favors a stay.

B. Factor 2 Favors A Stay Because Both Proceedings Involve Substantially Identical Shearer References.

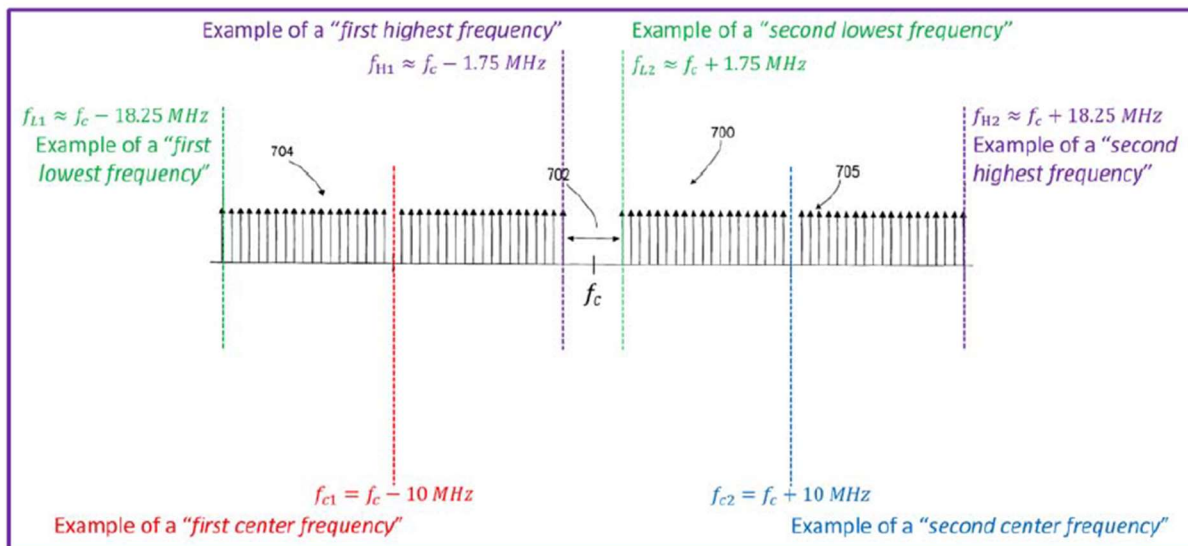
Factor 2 addresses whether the same grounds of unpatentability or the same prior art are at issue in both proceedings. Factor 2 favors a stay because both proceedings involve Shearer references with substantially identical disclosures.

Petitioner in the IPR argues that the Shearer Patent Application Publication alone renders claims 1-4 and 9 of the ’802 patent obvious. Pet. 55-71. The Non-Final Office Action in the reexamination asserts that claims 1-4 are anticipated by the Shearer Patent (Ex. 2011 [NFOA], 4) and claims 5-9 are rendered obvious by the Shearer Patent in view of secondary references (Ex. 2011 [NFOA], 21, 30, 32).

The Shearer Patent in the reexamination is the patent that issued from the same application that published as the Shearer Patent Application Publication at issue in the IPR. *See* Ex. 2006 [Shearer-Patent] 1 (U.S. Pat. 7,742,388 identifying

its prior patent application publication as U.S. 2006/0018249). Not surprisingly, the two references have substantially identical disclosures, as shown in the comparison table filed herewith. Ex. 2013 [Shearer Comparison]. Thus, this factor favors a stay. *See Quest Diagnostics, Inc. v. Ravgen, Inc.*, IPR2021-00791, Paper 25, 6 (PTAB Dec. 15, 2021) (finding this factor favored a stay where in the IPR the Petitioner relied on an article which “included passages that were substantially similar to passages” of a patent at issue in a parallel reexamination).

Furthermore, the Petition in the IPR and the Non-Final Office Action in the reexamination rely on almost identical disclosures from the two Shearer references. As one example, for claim element 1[a] in the '802 patent, the Petitioner relies on the graphic from the Shearer Patent Publication annotated below, which (according to Petitioner) allegedly demonstrates a type of down-shifting:



EX-1003 ¶ 421.

Pet., 59. In the Non-Final Office Action, the Examiner pointed to the same type of alleged downshifting for the same claim element 1[a]:

Shearer discloses the first frequency range (e.g., the frequency range of down-shifted signal 1000 that is about 16.5 MHz spanning $f_c-1.75$ MHz to $f_c-18.25$ MHz) having a first center frequency (e.g., f_c-10 MHz), a first highest frequency (e.g., at about $f_c-1.75$ MHz), and a first lowest frequency (e.g., at about $f_c-18.25$ MHz).

Ex. 2011 [NFOA], 7. This reasoning, relied on by the Examiner in rejecting claim 1 in the Non-Final Office Action, is materially similar to the reasoning stated by the Board in addressing this same disclosure in the IPR institution decision (Paper 17 [Ins. Dec.] 43 (reproducing the above annotated figure)). The Petitioner in the IPR and the Office Action in the reexamination similarly rely on similar portions of the Shearer references for other claim limitations.

Notably, the Board has ordered a stay even where this factor did not favor a stay because of the difference in the prior art. *See, e.g., Google LLC v. EcoFactor, Inc.*, IPR2021-00054, Paper 12, 4 (PTAB Jun. 28, 2021) (granting stay despite “no overlap between the prior art” with the IPR); *accord Avaya Inc. v. Network-1 Sec. Sols., Inc.*, IPR2013-00071, Paper 9, 2–3 (PTAB Dec. 21, 2012) (“[W]hile we recognize that the challenge in the instant proceeding is based on different prior art than that presented in the reexamination and was filed by a different party, these facts do not counsel in favor of concurrent Office proceedings given the fact that

claims 6 and 9 of the '930 patent are being challenged in both proceedings”); *Lumondi Inc. v. Lennon Image Techs. LLC*, IPR2013-00432, Paper 7, 3 (PTAB Aug. 6, 2013) (same).

In sum, the present IPR and the '458 reexamination rely on substantially identical references in substantially the same way, and this factor favors a stay.

C. Factor 3 Favors A Stay Because Concurrent Office Proceedings Duplicate Efforts Within The Office.

Factor 3 concerns whether the concurrent parallel Office proceeding will duplicate efforts within the Office.

Because this IPR and the reexamination include substantially identical art and overlapping claims, the risk of duplication of efforts is very high. *See, e.g., Google*, IPR2021-00054, Paper 12, 4; *see also Avaya*, IPR2013-00071, Paper 9, 2-3 (finding duplication risk as to claims “challenged in both” proceedings despite “different prior art”); *Lumondi*, IPR2013-00432, Paper 7, 2–3 (same); *BMW of N. Am.*, IPR2023-01373, Paper 15, 5 (“Nearly all the same claims and all the prior art we are considering in this proceeding are also at issue in the... Reexamination Proceeding, therefore allowing both to proceed concurrently would duplicate efforts. This factor favors a stay.”).

Thus, this factor also favors a stay.

D. Factor 4 Favors A Stay Because The Concurrent Office Proceedings Could Yield Inconsistent Results.

Factor 4 concerns whether the concurrent parallel Office proceeding could result in inconsistent results between proceedings. This factor favors a stay because, due to the same claims being challenged in both proceedings based on substantially identical Shearer references, there is a potential for inconsistent results.

For example, without a stay, it is apparent that the Examiner and Board must both make determinations regarding, *inter alia*, the scope of the overlapping claims and the scope of the nearly identical Shearer references. They also both need to determine whether substantially identical disclosures in the Shearer references disclose or render obvious the same claims of the '802 patent. The Board has found that in these circumstances, the risk of inconsistent analysis between the Board and Examiner favors a stay. *See Mueller*, IPR2020-00100, Paper 11, 4 (“The Reexamination Proceeding is considering the same claims and the same prior art as we are considering in this case, which raises the possibility of inconsistent results. This factor favors a stay.”).

Thus, this factor favors a stay.

E. Factor 5 Favors A Stay Because Amending Claims In Reexam Would Affect The Claim Scope In The IPR.

Factor 5 concerns whether amending the claim scope in one proceeding would affect the claim scope in another proceeding. This factor favors a stay because granting a stay will alleviate the risk that amendments or new claims may be presented in the reexamination that will have an effect in the IPR.

The Board has found that this factor favors a stay of a concurrent parallel reexamination when the patent owner can amend claims of the patent in the reexamination. *BMW of N. Am.*, IPR2023-01373, Paper 15, 5 (“The claims in the ’245 Reexamination Proceeding that are before us in this trial have been rejected, and Patent Owner may respond with an amendment that would affect their scope. . . This factor favors a stay.”); *Celltrion*, IPR2023-00462, Paper 17, 4 (“The ’448 Reexamination Proceeding is considering the same claims as we are considering in this trial, and Patent Owner may respond with an amendment that would affect their scope. This factor favors a stay.”).

Therefore, this factor favors a stay here.

F. Factors 6 And 7 Favor A Stay.

Factors 6 and 7 relate to the respective timeline and stage of each proceeding and the statutory deadlines of the respective proceedings. Factors 6 and 7 favor a stay, considering the stage of each proceeding and the statutory deadlines for each proceeding.

Although each proceeding is at a relatively early stage—the Board granted institution for IPR in September of this year and the Examiner issued a Non-Final Office Action in October—the Board is expected to reach a final decision for the IPR within a year of institution (*i.e.* by September 24, 2025). *See also* 37 C.F.R. § 42.100(c) (“An *inter partes* review proceeding shall be administered such that pendency before the Board after institution is normally no more than one year.”). In contrast, under 35 U.S.C. § 305, there is no set deadline to conclude an *ex parte* reexamination, which may have an indefinite number of office actions. Where the Board has granted institution in the IPR and the Office has issued a first office action, the Board has found that factors 6 and 7 favor a stay. *See, e.g., Hope Med. Enters., Inc. v. Oregon Health & Sci. Univ.*, IPR2022-00123, Paper 11, 7 (PTAB May 9, 2022).

G. Factor 8 Favors A Stay Because The IPR Would Likely Simplify The Issues In The Reexamination.

Factor 8 concerns whether a decision in one proceeding would likely simplify issues in the concurrent parallel Office proceeding or render it moot. Factor 8 favors a stay because a decision in this IPR has the potential to simplify or moot the issues in the Reexamination.

As noted, the IPR and Reexamination involve overlapping claims and substantively identical art. A decision in the IPR would simplify the common, overlapping issues between the two proceedings. The Board has found that this

factor favors a stay in similar circumstances. *Mueller*, IPR2020-00098, Paper 13, 6 (“A final written decision in this review proceeding would likely affect the reexamination, and, similarly, a reexamination certificate would likely affect this proceeding. For example, a determination in one proceeding that a claim is unpatentable would render moot the issue of the patentability of that claim in the other proceeding. Accordingly, the eighth factor weighs in favor of a stay.”).

Thus, this factor favors a stay.

IV. CONCLUSION

In circumstances like those here, the Board routinely finds good cause to grant motions to stay overlapping concurrent reexaminations of patents challenged in a pending IPR, until the conclusion of that IPR. Each of the eight factors in Office guidance bearing on this good cause determination supports this requested stay and as noted, Petitioner does not oppose this motion. For the foregoing reasons, Patent Owner respectfully requests that the Board stay the ’458 reexamination of the patent-at-issue until this IPR ends.

Respectfully submitted,

/ Kenneth J. Weatherwax /

Kenneth J. Weatherwax, Reg. No. 54,528
Nathan Lowenstein, *pro hac vice*
Parham Hendifar, Reg. No. 71,470
LOWENSTEIN & WEATHERWAX LLP

Date: December 3, 2024

CERTIFICATE OF SERVICE

The undersigned hereby certifies that the following documents were served by electronic service, by consent between the parties (Pet. at 77), on the date signed below:

**PATENT OWNER'S UNOPPOSED MOTION TO STAY
EX PARTE REEXAMINATION CONTROL NUMBER 90/019,458
PURSUANT TO 35 U.S.C. § 315(d)**

EXHIBITS 2009-2013

The names and address of the parties being served are as follows:

PCMuldoon@duanemorris.com (Patrick Muldoon)
PDMcPherson@duanemorris.com (Patrick D. McPherson)

Respectfully submitted,

/ Granville C. Kaufman /

Date: December 3, 2024