

Filed on behalf of: FLEX-CHEM HOLDING COMPANY, LLC and FLEX-
CHEM SERVICES CORPORATION

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

PHARAOH ENERGY SERVICES, LLC
Petitioner,

v.

FLEX-CHEM HOLDING COMPANY, LLC
Patent Owner.

Case No. IPR2024-00815
Patent No. 9,944,843
Issued: April 17, 2018
Application No.: 14/686,237
Filed: April 14, 2015

Title: STIMULATION OF WELLS IN NANO-DARCY SHALE FORMATIONS

**DECLARATION OF PAIGE STRADLEY IN SUPPORT OF PATENT
OWNER'S PRELIMINARY RESPONSE TO U.S. PATENT NO.
9,944,843**

I, Paige Stradley, declare as follows:

1. I am an attorney with Merchant & Gould P.C., and I am one of the attorneys of record for Patent Owner Flex-Chem Holding Company, LLC and Flex-Chem Services Corporation in the above captioned matter. I am also an attorney of record for Flex-Chem Holding Company, LLC and Flex-Chem Services Corporation in *Flex-Chem Holding Company, LLC, et al. v. Pharaoh Energy Services, LLC*, Civil Action No. 5:23-cv-00316-JWD in the Western District of Oklahoma (the “Parallel Litigation”).

2. I make this Declaration on my own information, knowledge, and belief in support of Patent Owner Flex-Chem Holding Company, LLC and Flex-Chem Services Corporation’s Patent Owner’s Preliminary Response to U.S. Patent No. 9,944,843.

3. The Parallel Litigation was initiated in April of 2023, and, since that time, the parties have engaged in fact and expert discovery. As of today, July 24, 2024, the Patent Owner has engaged in the following activities as part of the Parallel Litigation:

- Served three sets of interrogatories on Petitioner;

- Served two sets of requests for production on Petitioner;
- Substantially completed production and produced approximately 54,000 documents to Petitioner;
- Engaged in a targeted review of approximately 7,000 documents from Petitioner;
- Prepared responses to Petitioner's first set of requests for production and first set of interrogatories, including preparing claim charts in response to Petitioner's interrogatory;
- Prepared and filed responsive and sur-reply Markman briefs;
- Prepared for and taken three fact depositions;
- Prepared for and defended one fact deposition;
- Prepared and served its opening expert report on infringement and its opening expert report on damages.

4. As of today, July 24, 2024, the Petitioner has engaged in the following activities as part of the Parallel Litigation:

- Produced approximately 7,000 documents;
- Responded to discovery requests;
- Prepared opening and reply Markman briefs;
- Taken and defended depositions;
- Prepared invalidity claim charts in response to Patent Owner's interrogatory; and

- Prepared and served its opening expert report on invalidity.

5. Two additional fact depositions (to be taken by Petitioner and defended by Patent Owner) are scheduled to occur in August and at least two expert depositions are scheduled to occur in August. Remaining expert depositions will need to be scheduled so as to occur prior to September 9, 2024, because, under the Court's Scheduling Order, fact and expert discovery are scheduled to be completed by September 9, 2024.

Dated: July 24, 2024

By: /s/Paige Stradley
Paige Stradley