

Subject: IPR2024-01156 — Sotera Stipulation

Date: Tuesday, December 3, 2024 at 5:14:33 PM Mountain Standard Time

From: Kevin Laurence

To: benbyer@dwt.com, gregrosenthal@dwt.com, Hunt, Sam

CC: Kirk R. Harris, Erynn Embree, seth@blkp.com, mphilips@lpiplaw.com, dmeecker@lpiplaw.com

Counsel:

In accordance with the Board's 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 No. IPR2024-01156 is 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 IPR. 35 U.S.C. § 315(e)(2).

Best regards, Kevin

Kevin B. Laurence, Partner
Laurence & Phillips IP Law
1050 Connecticut Ave., N.W., Suite 500
Washington, D.C. 20036
Desk: 202-558-6180 | Mobile: 703-463-0640
klaurence@lpiplaw.com | www.lpiplaw.com