IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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SOLARIS OILFIELD SITE SERVICES OPERATING, LLC and SOLARIS OILFIELD SITE SERVICES PERSONNEL, LLC,
Petitioners,

v.

MASABA, INC.
Patent Owner.

_____

Case No. IPR2024-01179
Patent No. 11,780,689
Issue Date: October 10, 2023

Title: Aggregate Transferring System

DECLARATION OF MIKE STANTON

1. My name is Mike Stanton. From February 2020 until March 2022, I was a Business Development Manager at the Anchor Group ("Anchor").

2. In mid-2020, I had discussions with Jeremy Weinstein at Solaris about problems that needed solving for Solaris. Solaris desired a more efficient method for frac sand transfer and a conveyance system to move sand from belly dump trucks to the top of Solaris' storage silos. I contacted Masaba, Inc. ("Masaba") to discuss a design solution for Solaris. I served as a liaison between Masaba and Solaris during the project. Andrew Wells was the sales manager at Masaba. Dan Brinkman was the engineering manager at Masaba for the project. Jeremy Weinstein was an engineer for Solaris who served as the main point of contact for Solaris. His supervisor at Solaris was Scott Lambert.

3. From what I can recall, Solaris desired a high-capacity belt conveyor in order to obtain the desired material flow rates and a high angle of incline in order to minimize the footprint of the system. Masaba generated an initial concept, which involved a truck unloader unit that fed an inclined sidewall belt conveyor. Solaris decided to move forward with the project.

4. Jeremy Weinstein at Solaris told me that this project was the most important project at Solaris at the time and that Solaris needed the solution in order to gain back market share. An email that I sent to Masaba personnel on November 21, 2020 is provided in Appendix A memorializing this conversation.

5. As work on the project continued, I recall Solaris telling me that they wanted to explore increasing the incline angle of the belt conveyor even further in order to decrease the footprint of the system. When I communicated this to Masaba, I recall the Masaba engineering team concluding that this was not doable, given all of the constraints.

6. Instead, the Masaba team suggested using a bucket elevator instead of an inclined belt conveyor. When I told Solaris personnel about the concept, they stated that Solaris was willing to hear us out and look at the cost of the bucket elevator design, but they were cautious. And either Jeremy Weinstein or Scott Lambert told me that bucket elevators do not have a good reputation in the oil field. At the same time, at least one of them told me that Solaris wanted to keep looking at using a belt conveyor with a higher incline even if it meant a reduced material flow rate. An email that I sent to Masaba personnel on January 13, 2021 is provided in Appendix B memorializing this conversation.

7. Eventually, I recall Jeremy Weinstein telling me that Solaris had become convinced that the bucket elevator design should be pursued instead of the belt conveyor design. After some additional work by Masaba on the bucket elevator concept, Masaba proposed a design with a bucket elevator that fed a two-piece articulated belt conveyor. After Masaba presented this concept, Solaris issued a

purchase order to Anchor for one unit of the Masaba design, and Anchor issued a purchase order to Masaba.

8. Further development and engineering continued. As I recall, Solaris personnel conveyed to me that they liked what they were seeing in the development of the project, and Solaris ordered a second unit. Jeremy Weinstein told me that Solaris anticipated purchasing multiple units of the Masaba design.

9. In the summer of 2021, after Masaba built the first unit, Masaba performed tests on it over the course of a few days. I attended the tests, along with Solaris representatives, including Jeremy Weinstein and Scott Lambert. The first tests were performed at Masaba's facility, and then the first unit was towed a few miles to a gravel pit, where Solaris silos had been set up for additional testing with truckloads of frac sand. The Solaris representatives, including Jeremy Weinstein and Scott Lambert, told me that they were impressed and excited by the results of the tests. The evening following the final day of testing, Jeremy was very complimentary of Masaba and the Masaba tested unit. He said that there was no one that he was aware of that could have designed it. He also stated that the management at Solaris would never have a full appreciation of what Masaba had accomplished in such a short period of time. An email that I sent to Masaba personnel on August 2, 2021 is provided in Appendix C memorializing at least part of this conversation.

Scanned with CamScanner

10. During a visit at the Masaba facility, I recall standing beside Jeremy Weinstein. He appeared to be visibly upset with the "patent pending" markings on the Masaba unit and made a comment about them.

11. I remember that after the testing, Masaba continued working on, testing, and fine tuning the first unit and then delivered it to Solaris a few weeks later.

12. I was impressed with Masaba's bucket elevator design for two reasons: first, it allowed frac sand to be transported to the top of Solaris's silos with a mobile system using a minimal footprint; second, it allowed Solaris to fill its silos at a much faster rate than its existing system.

13. I hereby declare under penalty of perjury of the laws of the United States of America that the foregoing statements are true to the best of my knowledge; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the results of these proceedings.

Dated: April 27, 2025

Signature of Declarant
Mike Stanton

Appendix A

From: Andrew Wells <Andrew.Wells@masabainc.com>
Sent: Saturday, November 21, 2020 9:14 PM CST
To: Mike Stanton <mstanton@anchor-technical.com>
Subject: Re: Masaba NDA

We're just going to establish a boundary. If they can't accept then we'll give it back. But we have to preach patience. We are coming up with something that is going to change the industry- not just Solaris. 5 extra weeks to make sure it's right ain't nothing. Big picture not small fights.

If they have someone else working on it as well, that's another story.

Sent from my iPhone

> On Nov 21, 2020, at 9:08 PM, Mike Stanton <mstanton@anchor-technical.com> wrote:
>
> My first inclination is to tell them that we'll give their money back...where do I send the check?.....
>
> Get Outlook for iOS
>
> ---
>
> **From:** Andrew Wells <Andrew.Wells@masabainc.com>
> **Sent:** Saturday, November 21, 2020 9:06 PM
> **To:** Mike Stanton
> **Subject:** Re: Masaba NDA
>
> I would agree with that - typical frac guys. They just need to start the pressure early. None of this is surprising.
>
> Sent from my iPhone
>
>> On Nov 21, 2020, at 8:52 PM, Mike Stanton <mstanton@anchor-technical.com> wrote:
>>
>> I don't trust these jackasses. They're trying to push us around that that's bullshit. We should all be partners in this and they don't seem to care about that. I think they're bluffing. Jeremy told me last week this is the most important project in their company right now and they had to have it to gain back market share. They would be idiots to back out with all the time and effort from all parties.
>>
>> Mike Stanton
>> Business Development Manager
>> Anchor Group
>> Cell# 817-223-2155
>> 3348 Peden Road
>> Fort Worth, TX 76179
>> mstanton@anchor-technical.com
>>
>> <image001.png>
>>
>> www.anchor-technical.com
>>
>> ---
>>
>> **From:** Andrew Wells <Andrew.Wells@masabainc.com>
>> **Sent:** Saturday, November 21, 2020 8:44 PM
>> **To:** Mike Stanton <mstanton@anchor-technical.com>
>> **Subject:** Re: Masaba NDA
>>
>> Good point. Makes sense now.
>>
>> Sent from my iPhone
>>
>>> On Nov 21, 2020, at 8:39 PM, Mike Stanton <mstanton@anchor-technical.com> wrote:
>>>
>>> Because if they're stupid enough to back out, we can take the concept to someone else. We're not tied into them. Does that make sense?
>>>
>>> Mike Stanton

Business Development Manager
Anchor Group
Cell# 817-223-2155
3348 Peden Road
Fort Worth, TX 76179
mstanton@anchor-technical.com

<image001.png>
www.anchor-technical.com

From: Andrew Wells <Andrew.Wells@masabainc.com>
Sent: Saturday, November 21, 2020 8:37 PM
To: Mike Stanton <mstanton@anchor-technical.com>
Subject: Re: Masaba NDA

I'm lost on the thinking. Why wouldn't we need to sign it? What am I missing?

Sent from my iPhone

> On Nov 21, 2020, at 7:55 PM, Mike Stanton <mstanton@anchor-technical.com> wrote:
>
> No! Don't sign it!
>
> Get Outlook for iOS
>
> ---
>
> **From:** Andrew Wells <Andrew.Wells@masabainc.com>
> **Sent:** Saturday, November 21, 2020 7:54:35 PM
> **To:** Mike Stanton <mstanton@anchor-technical.com>
> **Subject:** Re: Masaba NDA
>
> If we didn't do we need to?
>
> Sent from my iPhone
>
>> On Nov 21, 2020, at 7:10 PM, Mike Stanton <mstanton@anchor-technical.com> wrote:
>>
>> Please scour your records to make sure Masaba did not sign this NDA.
>> Let me know.
>>
>> Thanks,
>>
>> Mike Stanton
>> Business Development Manager
>> Anchor Group
>> Cell# 817-223-2155
>> 3348 Peden Road
>> Fort Worth, TX 76179
>> mstanton@anchor-technical.com
>>
>> <image001.png>
>> www.anchor-technical.com
>>
>> ---
>>
>> **From:** Mike Stanton
>> **Sent:** Wednesday, November 4, 2020 11:33 AM
>> **To:** Andrew Wells <Andrew.Wells@masabainc.com>
>> **Subject:** FW: Masaba NDA
>>
>> Mike Stanton
>> Business Development Manager
>> Anchor Group

Cell# 817-223-2155
3348 Peden Road
Fort Worth, TX 76179
mstanton@anchor-technical.com

<image001.png>
www.anchor-technical.com

From: Jeremy Weinstein <jeremy.weinstein@solarisoilfield.com>
Sent: Wednesday, November 4, 2020 10:16 AM
To: Mike Stanton <mstanton@anchor-technical.com>
Cc: scott.lambert@solarisoilfield.com
Subject: FW: Masaba NDA

From: Christopher Powell <christopher.powell@solarisoilfield.com>
Sent: Wednesday, November 4, 2020 9:51 AM
To: Jeremy Weinstein <Jeremy.Weinstein@solarisoilfield.com>
Cc: Scott Lambert <Scott.Lambert@solarisoilfield.com>; Cindy Durrett <Cindy.Durrett@solarisoilfield.com>
Subject: RE: Masaba NDA

Jeremy,
Would it be possible to see if they could use our form? It would expedite review on our end.

From: Jeremy Weinstein <Jeremy.Weinstein@solarisoilfield.com>
Sent: Tuesday, November 3, 2020 11:20 AM
To: Christopher Powell <christopher.powell@solarisoilfield.com>
Cc: Scott Lambert <Scott.Lambert@solarisoilfield.com>
Subject: FW: Masaba NDA

Chris,

We are working with MASABA to develop a top fill solution for our silos. We would like them to provide electronic CAD files for us to manipulate. To do this they require a signed NDA.

Jeremy

From: Mike Stanton <mstanton@anchor-technical.com>
Sent: Tuesday, November 3, 2020 10:51 AM
To: Jeremy Weinstein <Jeremy.Weinstein@solarisoilfield.com>
Subject: Masaba NDA

External Sender: Use caution with links/attachments!
Hi Jeremy,
I think we're good for 9:00 am tomorrow. But waiting on one person to confirm. I'll be in touch.
Attached is a Masaba NDA for sharing files. Please sign and return to me at your earliest convenience.
Thank you,
Mike

Get Outlook for iOS

<SOI Mutual Confidentiality NDA _Master General Form 1903.pdf>

Appendix B

From: Dan Brinkman <Daniel.Brinkman@masabainc.com>
Sent: Wednesday, January 13, 2021 12:38 PM CST
To: Aaron Sudbeck <Aaron.Sudbeck@masabainc.com>; Tyler Dewitt <Tyler.DeWitt@masabainc.com>; Jason Brenden <Jason.Brenden@masabainc.com>
Subject: FW: Beltwall Conveyor Angle of Incline

More FYI L

Thanks,
Dan

From: Dan Brinkman
Sent: Wednesday, January 13, 2021 12:38 PM
To: 'Mike Stanton' <mstanton@anchor-technical.com>; Andrew Wells <Andrew.Wells@masabainc.com>
Cc: Dan Trantham <dan@anchor-industrial.com>
Subject: RE: Beltwall Conveyor Angle of Incline

What is the MAX size they can live with for a footprint?
We also need to keep in mind that travel size should be as big of a concern as footprint as the Beltwall constraints dictate that.

I will send out a meeting Invite.

Thanks,
Dan

From: Mike Stanton [mailto:mstanton@anchor-technical.com]
Sent: Wednesday, January 13, 2021 12:24 PM
To: Dan Brinkman <Daniel.Brinkman@masabainc.com>; Andrew Wells <Andrew.Wells@masabainc.com>
Cc: Dan Trantham <dan@anchor-industrial.com>
Subject: RE: Beltwall Conveyor Angle of Incline

Thanks Dan. Although they were willing to hear us out and look at the cost of the bucket elevator design, they were cautious as they said that bucket elevators do not have a good reputation the oilfield. That is their perception. Basically, they told us we need to find a way to decrease the footprint of the Beltwall. They asked us to look at getting to 75-80% incline and they can live with the reduced capacity. Can we get ya'll, Mike Blume and ourselves on a call this afternoon around 3:00?

Thanks,

Mike Stanton
Business Development Manager
Anchor Group
Cell# 817-223-2155
3348 Peden Road
Fort Worth, TX 76179
mstanton@anchor-technical.com

www.anchor-technical.com

From: Dan Brinkman <Daniel.Brinkman@masabainc.com>
Sent: Wednesday, January 13, 2021 11:44 AM
To: Mike Stanton <mstanton@anchor-technical.com>; Andrew Wells <Andrew.Wells@masabainc.com>
Cc: Dan Trantham <dan@anchor-industrial.com>
Subject: RE: Beltwall Conveyor Angle of Incline

Mike,

The Airslide Manuf. did not weigh the material when they did the test. The results we rec'd were that it flowed on the airslide well at 7 degrees with little residue left at the end of the air slide. They measured approx.. angle of repose at approx. 13 degrees. They then sent a video to me that just showed pouring sand onto the slide.

They stated 92 PCF, but I believe we still need to keep the design parameter of 100 PCF and use the volumetric capacity of the 92 PCF, this will keep us conservative and covered for the worst case.

On the last item on constraints, the Beltwall belting has more constraints (clearance, min bend radius/folding, capacity, size to make it travel, z-shape, complexity) and does not appear to have any benefits over a bucket elevator when at a 90 degree incline. We will need to talk with Mike on capacities at 90 degrees and what they look like while taking the constraints listed above in mind. To place a cover at the top transition could be solution, but seems like a quick fix vs a solution and if we need to maintain clearance from the belt, going next to it may not be an option.

Overall we believe the timeframe to deliver the bucket elevator design would be shorter than with the Beltwall design.

THANKS,

Dan Brinkman
Engineering Manager
Direct: 605-658-8911
Toll Free: 877-627-2220
daniel.brinkman@masabainc.com
www.masabainc.com

From: Mike Stanton [mailto:mstanton@anchor-technical.com]
Sent: Wednesday, January 13, 2021 10:48 AM
To: Dan Brinkman <Daniel.Brinkman@masabainc.com>; Andrew Wells <Andrew.Wells@masabainc.com>
Cc: Dan Trantham <dan@anchor-industrial.com>
Subject: RE: Beltwall Conveyor Angle of Incline

Dan,

Does that mean if the angle of incline is too steep, the material will not convey across the nose over radius in an efficient manner and "fling" in the air as the incline transitions to the horizontal? If so, wouldn't some sort of close clearance plate over that transition keep the material on the belt? Not trying to question you or your folks at all, trying to come up with a good answer to their question. I appreciate everyone's hard work.

Thanks,

Mike Stanton
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From: Dan Brinkman <Daniel.Brinkman@masabainc.com>
Sent: Wednesday, January 13, 2021 7:17 AM
To: Mike Stanton <mstanton@anchor-technical.com>; Andrew Wells <Andrew.Wells@masabainc.com>
Cc: Dan Trantham <dan@anchor-industrial.com>
Subject: RE: Beltwall Conveyor Angle of Incline

Mike,

The constraints will still be the nose over radius from incline to flat/angled at the top of the Z-shaped profile. The other constraint will be travel height, I believe in the 16' range.

Thanks,
Dan

From: Mike Stanton [mailto:mstanton@anchor-technical.com]
Sent: Tuesday, January 12, 2021 5:27 PM
To: Andrew Wells <Andrew.Wells@masabainc.com>
Cc: Dan Brinkman <Daniel.Brinkman@masabainc.com>; Dan Trantham <dan@anchor-industrial.com>
Subject: Beltwall Conveyor Angle of Incline
Importance: High

Hi Andrew,

In regard to the existing Beltwall conveyor, Jeremy stated to us in our call this afternoon that they might be OK with a capacity reduction if the footprint is decreased. I spoke with Mike Blume about what it would take to increase the angle of incline of the Beltwall belt. Mike does not see an issue with increasing, even to 90 degrees. What are your thoughts and what are your constraints?

Thanks,

Mike Stanton
Business Development Manager
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Appendix C

From: Jim Peterson <Jim.Peterson@masabainc.com>
Sent: Monday, August 02, 2021 6:20 AM CDT
To: Jerad Higman <Jerad.Higman@masabainc.com>
Subject: Fwd: Solaris Info

FYI

Sent from my iPad

Begin forwarded message:

> **From:** Mike Stanton <mstanton@anchor-technical.com>
> **Date:** August 2, 2021 at 6:05:20 AM CDT
> **To:** Jim Peterson <Jim.Peterson@masabainc.com>, Sheldon Watterson <Sheldon.Watterson@masabainc.com>
> **Subject: Solaris Info**
>
> Good morning guys,
>
> Thank you so much for your hard work and your folks hard work this weekend as well as over the past several months. I can't tell you how grateful I am that you and your folks would spend your weekend away from your families to help us.
>
> The bucket elevator was impressive and everyone, including Solaris, is extremely excited. I spent all evening with Jeremy and he does not throw around compliments very often. But he was full of them. He told me there is no one he is aware of that could've designed this piece of equipment making it work. In addition to doing it in such a short period of time.
>
> Scott has a meeting with the executive team at 10 AM this morning. He asked if there's anyway to give him an update by then. Not sure what time your meeting with your folks. ANY Information to hand him before then would be extremely helpful. That will at least help him to keep them at bay. He understands we need some time to figure this out. They also have another meeting at 1 PM to follow up.
>
> He's asked if Masaba can commit to having specifically the pulley fix and the camera fix put in place to test again with sand on Friday or worst-case Saturday. In addition, they also asked if something could be done with the inlet in the truck unloader (discussed between Jerad and Scott?) Also, any other fixes that you identified during testing. I'm hoping that pulley is stock with Van Der Graaf and if not maybe Rumelca could help.
>
> Please let me know if you think we could have something preliminary to him by 10 AM today. Again, ANY information for him to relay would be extremely helpful. They have a follow up meeting at 1 PM today. I'll have my phone with me.
>
> Thank you again for everything you've done for Anchor and for Solaris.
>
> Mike
>
> Get Outlook for iOS