Reckers, Rob (SHB)

From: Melissa Morgan <Melissa_Morgan@txs.uscourts.gov>
Sent: Wednesday, February 12, 2025 11:14 AM
To: Mann, Rex
Cc: Reckers, Rob (SHB); Morehan, David W. (SHB); Ripkowski, Deborah (SHB); Chaney, Tanya (SHB); Sosolik, Emily R. (SHB); Dale, Ahtoosa Amini; Block, Courtney; Boyce, Tyler; Nowakowski, Alexander
Subject: RE: Claim Construction Hearing in U.S. Well Services v. Liberty Energy - 4:24-cv-839

EXTERNAL

Good morning,
Judge Bryan will not be holding this hearing on 2/20/25. Alternative dates will be circulated, thank you!

Melissa Morgan-Faircloth
Case Manager for the Honorable Christina A. Bryan
U.S. Magistrate Judge
Southern District of Texas | Houston Division
515 Rusk Street Houston, TX 77002
(713) 250-5158

From: Mann, Rex <RMann@winston.com>
Sent: Tuesday, February 11, 2025 4:59 PM
To: Melissa Morgan <Melissa_Morgan@txs.uscourts.gov>
Cc: Reckers, Rob (SHB) <RRECKERS@shb.com>; Morehan, David W. (SHB) <DMOREHAN@shb.com>; Ripkowski, Deborah (SHB) <DRipkowski@shb.com>; Chaney, Tanya (SHB) <tchaney@shb.com>; esosolik_shb.com <esosolik@shb.com>; Dale, Ahtoosa Amini <ADale@winston.com>; Block, Courtney <CBlock@winston.com>; Boyce, Tyler <tboyce@winston.com>; Nowakowski, Alexander <ANowakowski@winston.com>
Subject: Claim Construction Hearing in U.S. Well Services v. Liberty Energy - 4:24-cv-839

CAUTION - EXTERNAL:

Hello Ms. Morgan-Faircloth,

I am writing about a hearing in a matter that has just recently been referred to Judge Bryan, that is the matter of U.S. Well Services v. Liberty Energy, 4:24-cv-839. I have copied opposing counsel here.

Judge Ellison had previously set a claim construction hearing for next Thursday, February 20th. Given Judge Ellison just recently referred the case to Judge Bryan, we inquired with Judge Ellison's chambers (see email chain below) and we were told to reach out to schedule the hearing with Judge Bryan. So this is why I am reaching out to you.

Upon looking at Judge Bryan's local rules, it said to reach out separately from a motion to request a hearing, but this is a claim construction hearing so it is little unique (not explicitly a "motion") and it has already been scheduled, so I thought it would be best to reach out to you to get some guidance. Can you let us know if the February 20th hearing will still be going forward with Judge Bryan? If not—which would be completely understandable given the short notice—can you let us know how we can go about getting a date? If Judge Bryan has some dates available that you want to propose, we would be happy to meet and confer with the other side to see what will work. Just let us know what would be best for the Court.

Respectfully,

Rex Mann

Rex Mann
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From: Art Rivera <Arturo_Rivera@txs.uscourts.gov>
Sent: Tuesday, February 11, 2025 2:16 PM
To: Mann, Rex <RMann@winston.com>
Cc: Reckers, Rob (SHB) <RRECKERS@shb.com>; Morehan, David W. (SHB) <DMOREHAN@shb.com>; Ripkowski, Deborah (SHB) <DRipkowski@shb.com>; Chaney, Tanya (SHB) <tchaney@shb.com>; esosolik_shb.com <esosolik@shb.com>; Dale, Ahtoosa Amini <ADale@winston.com>; Block, Courtney <CBlock@winston.com>; Boyce, Tyler <tboyce@winston.com>; Nowakowski, Alexander <ANowakowski@winston.com>
Subject: RE: Hearing Set February 20 - U.S. Well Services v. Liberty Energy - 4:24-cv-839

Good afternoon,
Please schedule the hearing with Judge Bryan and then move to amend the schedule accordingly.

Thank you,

Arturo A. Rivera
Case Manager to the Honorable Keith P. Ellison
United States District Court
515 Rusk St.
Suite 3716
Houston, TX 77002
Office: 713-250-5181

From: Mann, Rex <RMann@winston.com>
Sent: Tuesday, February 11, 2025 12:47 PM
To: Art Rivera <Arturo_Rivera@txs.uscourts.gov>
Cc: Reckers, Rob (SHB) <RRECKERS@shb.com>; Morehan, David W. (SHB) <DMOREHAN@shb.com>; Ripkowski, Deborah (SHB) <DRipkowski@shb.com>; Chaney, Tanya (SHB) <tchaney@shb.com>; esosolik_shb.com <esosolik@shb.com>; Dale, Ahtoosa Amini <ADale@winston.com>; Block, Courtney <CBlock@winston.com>; Boyce, Tyler <tboyce@winston.com>; Nowakowski, Alexander <ANowakowski@winston.com>
Subject: Hearing Set February 20 - U.S. Well Services v. Liberty Energy - 4:24-cv-839

CAUTION - EXTERNAL:

Hello Mr. Rivera,

I am writing to inquire about the claim construction hearing currently set on February 20th, pursuant to the current scheduling order (Dkt. No. 30). We had assumed Judge Ellison was going to be handling that hearing, but then in

the last couple of weeks Judge Ellison referred the case to the magistrate judge. But we checked with the magistrate judge's courtroom deputy, and the magistrate judge did not at that time have the hearing on the calendar. As such, I am reaching out to you to see if Judge Ellison is planning on holding the hearing on February 20th, or if we should be discussing scheduling on that hearing with the magistrate judge?

I ask specifically because just yesterday I had a court in the Central District of California set a hearing on February 20th on which I am lead counsel and need to attend. Of course, I am not necessarily asking that the hearing in this case be moved because if this Court is moving forward with the hearing on February 20th, given it was the earlier set hearing, I will reach out to the court in the Central District of California to let it know of my conflict to see if the Central District of California can re-schedule. But given the recent developments in this matter—with the case recently being referred to the magistrate judge—I thought there was at least some doubt that the hearing might go forward next week, and if so, I would want to know so I can proceed accordingly in the Central District of California.

As such, if we can get any indication from the Court as to whether we will still be proceeding on February 20th with Judge Ellison, it would be greatly appreciated.

Respectfully,

Rex Mann

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