

From: [Director_PTABDecision_Review](#)
To: ["Ferguson, Brian E."](#); [Hopkins, Matt](#); [Grado, Andrew](#); [McDonald, Jacob](#); [Border, Scott](#); [Boyce, Tyler](#); [Walters, Chad](#)
Subject: RE: IPR2025-00031: Document(s) Filed - Liberty Energy, Inc. v. U.S. Well Services, LLC
Date: Monday, May 19, 2025 3:45:00 PM

Counsel,

Petitioner's request for authorization to submit evidence with its authorized response to Patent Owner's Request for Director Review is denied.

Thanks.

IPR2025-00031
Ex. 3101

From: Ferguson, Brian E. <BEFerguson@winston.com>
Sent: Monday, May 19, 2025 1:38 PM
To: Director_PTABDecision_Review <Director_PTABDecision_Review@uspto.gov>
Cc: Hopkins, Matt <MHopkins@winston.com>; Grado, Andrew <andrew.grado@bakerbotts.com>; McDonald, Jacob <jacob.mcdonald@bakerbotts.com>; Border, Scott <SBorder@winston.com>; Boyce, Tyler <tboyce@winston.com>; Walters, Chad <chad.walters@bakerbotts.com>
Subject: RE: IPR2025-00031: Document(s) Filed - Liberty Energy, Inc. v. U.S. Well Services, LLC

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Dear Director:

As authorized by the Director's May 16, 2025, email, Patent Owner herein responds to Petitioners' request to file email correspondence between the parties in the above-identified proceeding.

Patent Owner opposes the request. First, any negotiations between the parties regarding the case schedule have no bearing on the *Fintiv* factors when the district court has entered a schedule, as is the case here. Specifically, on May 15, the magistrate judge overseeing the parallel litigation entered an Amended Scheduling Order governing proceedings in the case moving forward. Patent Owner will provide a copy of the Amended Scheduling Order upon the Director's request. Second, even assuming that the email exchange was relevant, Patent Owner disputes Petitioners' argument that the parties' email negotiations reflect a shared view that the proposed schedule was intended to be an "interim" schedule. Patent Owner made clear throughout that it would oppose any attempt by Petitioners to move the trial date. Third, the May 15th Amended Scheduling Order entered by the Court moves the trial date from February 2, 2026, to March 30, 2026, to accommodate any potential delay in the claim construction ruling. Thus, any assertion that the Court will further push back the trial date is purely speculative.

Respectfully submitted,

Brian E. Ferguson
Counsel for Patent Owner

From: Walters, Chad <chad.walters@bakerbotts.com>
Sent: Friday, May 16, 2025 2:50 PM
To: Director_PTABDecision_Review <Director_PTABDecision_Review@uspto.gov>
Cc: Ferguson, Brian E. <BEFerguson@winston.com>; Hopkins, Matt <MHopkins@winston.com>;
Grado, Andrew <andrew.grado@bakerbotts.com>; McDonald, Jacob
<jacob.mcdonald@bakerbotts.com>; Border, Scott <SBorder@winston.com>; Boyce, Tyler
<tboyce@winston.com>
Subject: RE: IPR2025-00031: Document(s) Filed - Liberty Energy, Inc. v. U.S. Well Services, LLC

Dear Director,

In accordance with the Director Review process and procedures, Petitioners in the above-referenced IPR request authorization to file, in connection with its upcoming authorized response, email correspondence between the parties reflecting that the amended schedule referenced in Patent Owner's request for Director Review is an interim amendment while the parties await the final Markman ruling on which subsequent case deadlines are based.

Thank you,

Chad Walters
Lead Counsel for Petitioners
Baker Botts L.L.P.
chad.walters@bakerbotts.com
T +1.214.953.6511
F +1.214.661.4511
M +1.214.557.2423
2001 Ross Avenue, Suite 900
Dallas, TX 75201
USA

From: Director_PTABDecision_Review <Director_PTABDecision_Review@uspto.gov>
Sent: Wednesday, May 14, 2025 11:44 AM
To: beferguson@winston.com; Walters, Chad <chad.walters@bakerbotts.com>;
mhopkins@winston.com; Grado, Andrew <andrew.grado@bakerbotts.com>; McDonald, Jacob
<jacob.mcdonald@bakerbotts.com>; sborder@winston.com; tboyce@winston.com
Subject: RE: IPR2025-00031: Document(s) Filed - Liberty Energy, Inc. v. U.S. Well Services, LLC

[EXTERNAL EMAIL]

Counsel,

Patent Owner's request for Director Review has been received in the above-referenced case. Petitioner is authorized to submit a response limited to the issues raised in the Director Review request, of no more than five pages, to be filed within five business days of this email. Any such response must be filed in P-TACTS, i.e., by selecting the "Other: Other" paper type and the paper must be titled "Authorized Response to Director Review Request" or it may not be considered. No new evidence is permitted. No further briefing is authorized at this time.

The Director will determine whether review will be granted or denied and the parties will be notified of the result of the Director Review request.

Thank you.

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