From: Kappers, Robert
Sent: Wednesday, June 18, 2025 2:46 PM
To: Thomas, David J.; Nuttall, Jay; SJ AAM Team
Cc: Abdelnour, Dennis J.; Waidelich, Sarah E.; Huget, J. Michael
Subject: RE: American Axle v. Neapco, IPR2025-00090, IPR2025-00091 - Petitioner's Objections to Patent Owner's Preliminary Evidence Filed

David,

AAM does not consent to Neapco's extension of time and does not agree to the related argument made by Neapco in its objections to the evidence submitted with AAM's petitions for IPR. Neapco's objections are untimely and AAM considers them waived.

AAM would consider a compromise, however. AAM intends to move under 37 C.F.R. 42.123(a) to submit as supplemental information Petitioner's Exhibits 1037 and 1038, declarations from Todd Harris and Bryan Laidlaw (FCA US LLC). AAM's request is made within one month of the date trial was instituted, and the declarations are relevant to a claim for which the trial has been instituted. If Neapco agrees to not oppose AAM's motion to submit supplemental information, then AAM would agree to not oppose Neapco's motion for an extension of time or to not argue that Neapco's objections are waived as untimely. Please let us know if Neapco agrees. If not, please provide Neapco's position on AAM's motion to submit supplemental information by early next week so we can email the Board.

To the extent that the Board considers Neapco's untimely objections, AAM has filed the attached Notices of Service of Supplemental Evidence today via the USPTO's P-TACTS system. Also attached please find service of the documents referenced in Petitioner's Notice of Service of Supplemental Evidence listed below:

- Exhibit 1037 – Declaration of Todd Harris;
- Exhibit 1038 – Declaration of Bryan Laidlaw;
- Exhibit 1039 – Affidavit of Mina Ching; and
- Exhibit 1040 – Declaration of Robert F. Kappers
- Petitioner's Updated Exhibit Lists.

Best,
Robert

ShareFile Attachments Expires July 18, 2025

Supplemental Evidence (IPR2025-00090).zip 5.8 MB

Supplemental Evidence (IPR2025-00091).zip 5.8 MB

Download Attachments

From: Thomas, David J. <DThomas@honigman.com>
Sent: Friday, June 13, 2025 12:08 PM
To: Nuttall, Jay <jnuttall@steptoe.com>; Kappers, Robert <rkappers@steptoe.com>; SJ AAM Team <sjaamteam@Steptoe.com>
Cc: Abdelnour, Dennis J. <DAbdelnour@honigman.com>; Waidelich, Sarah E. <SWaidelich@honigman.com>; Huget, J. Michael <MHuget@honigman.com>
Subject: [EXTERNAL] RE: American Axle v. Neapco, IPR2025-00090, IPR2025-00091 - Petitioner's Objections to Patent Owner's Preliminary Evidence Filed

Counsel,

Due to a clerical error regarding the deadline, Neapco intends to file its objections to AAM's evidence today.

As a courtesy, please let us know if AAM is willing to consent to this one-day extension. This, of course, would also result in the deadline for AAM to file any supplemental evidence being due 10 business days from today, as opposed to yesterday.

Regards,
David

David J. Thomas

HONIGMAN LLP
O 248.566.8642
M 248.762.3325
dthomas@honigman.com

This e-mail may contain confidential or privileged information. If you are not the intended recipient, please delete it and notify the sender of the error.

From: Woodworth, Travis <twoodworth@steptoe.com>
Sent: Thursday, June 12, 2025 6:13 PM
To: Abdelnour, Dennis J. <DAbdelnour@honigman.com>; Thomas, David J. <DThomas@honigman.com>; Waidelich, Sarah E. <SWaidelich@honigman.com>
Cc: Nuttall, Jay <jnuttall@steptoe.com>; Kappers, Robert <rkappers@steptoe.com>; SJ AAM Team <sjaamteam@Steptoe.com>
Subject: American Axle v. Neapco, IPR2025-00090, IPR2025-00091 - Petitioner's Objections to Patent Owner's Preliminary Evidence Filed

[EXTERNAL EMAIL]

Counsel,

For the purposes of service, please find attached Petitioner's Objections to Patent Owner's Preliminary Evidence filed in the above referenced IPR matters.

Best Regards,
Travis

Travis Woodworth
IP Litigation Paralegal

Steptoe

Steptoe LLP | 227 West Monroe Street Suite 4700 | Chicago, IL 60606
+1 312 577 1319 direct | twoodworth@steptoe.com | www.steptoe.com

This message and any attached documents contain information from the law firm Steptoe LLP that may be confidential and/or privileged. If you are not the intended recipient, please do not read, copy, distribute, or use this information. If you have received this transmission in error, please notify the sender immediately by reply e-mail and then delete this message.

American Axle v. Neapco - IPR2025-00091
PET_ AAM_1046-0003