

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
WACO DIVISION**

MIDAS GREEN TECHNOLOGIES, LLC,

Plaintiff,

v.

GREEN REVOLUTION COOLING, INC.

Defendant.

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CIVIL ACTION NO. 6:24-CV-166-ADA

**DEFENDANT GREEN REVOLUTION COOLING, INC.’S
FIRST SET OF REQUESTS FOR PRODUCTION OF DOCUMENTS
TO PLAINTIFF MIDAS GREEN TECHNOLOGIES, LLC (NOS. 1-52)**

Pursuant to Rules 26 and 34 of the Federal Rules of Civil Procedure and the Local Rules of this Court, Defendant Green Revolution Cooling, Inc. (“GRC”), by and through its undersigned counsel, hereby requests that Plaintiff Midas Green Technologies, LLC (“Midas”) fully respond in writing to the following First Set of Requests for the Production (collectively, the “Requests,” and individually, each a “Request”) within thirty (30) days of service and produce the documents and things requested, in accordance with the Federal Rules of Civil Procedure, the Local Rules of the Court, and the instructions and definitions stated below.

DEFINITIONS

For purposes of these Requests, the terms and phrases set forth below shall have the following meanings:

1. The term “You,” “Your,” “Plaintiff,” or “Midas” means Midas Green Technologies, LLC, including each of its subsidiaries, parents, subsidiaries of subsidiaries or parents, divisions, affiliates in which it owns a majority or a controlling interest, predecessors (including the CH3- entity), any associates, consultants and/or contractors (including Alex Rodriguez and the “Omega”

entity he works with, Kenneth Swinden, John Tribou, Kenneth Tooke, and David Laguna), as well as any person working for Midas that Midas identified as full-time equivalent employees, including the persons working for Midas out of Monterrey, Mexico, and other organizational or operating units, each of their respective predecessors and successors, and each of their respective employees, officers, directors, attorneys, agents, representatives, and all persons acting or purporting to act on its behalf.

2. The term “Defendant” or “GRC” shall mean Green Revolution Cooling, Inc., and all past and present agents, employees, shareholders, officers, directors, executives, subsidiaries, parent corporations, attorneys, and other persons or entities acting on their behalf.

3. The term “GRC Patents” shall mean U.S. Patent Nos. 9,992,914 (the “’914 Patent”) and 10,123,463 (the “’463 Patent”).

4. The term “Related GRC Patent” or “Related GRC Patents” shall mean any U.S. patent, non-U.S. patent, continuation, continuation-in-part, divisional, reexamination, reissue, counterpart patent, or patent application (including all published and unpublished, pending, and abandoned applications) that shares all or substantially all of its specification with any of the GRC Patents or claims direct or indirect priority to any of the GRC Patents or from which any of the GRC Patents claims priority, or that are otherwise identified in the GRC Patents as related to those patents.

5. The term “Patent-in-Suit” shall mean U.S. Patent No. 10,405,457 (the “’457 Patent”).

6. The term “Related Patent” or “Related Patents” shall mean any U.S. patent, non-U.S. patent, continuation, continuation-in-part, divisional, reexamination, reissue, counterpart patent, or patent application (including all published and unpublished, pending, and abandoned applications) that shares all or substantially all of its specification with the Patent-in-Suit or claims direct or indirect priority to the Patent-in-Suit or from which the Patent-in-Suit claims priority, or that are otherwise identified in the Patent-in-Suit as related to the patent.

7. “Practicing Product(s)” is defined as any product used by Riot, that was sold, leased, or otherwise provided to Riot by Midas, that implements or is capable of implementing immersion cooling.

8. “License Agreement” means any agreement (past and present) that includes a license, covenant not to sue or release for the infringement of any patent or other rights to use, make, sell, offer to sell or import any immersion cooling product or service in the United States, including those where the granted rights include additional jurisdictions.

9. The term “Riot Case” means, *Green Revolution Cooling, Inc. v. Riot Platforms, Inc.*, Civil Action No. 6:24-cv-152 filed in the Waco Division of the United States District Court for the Western District of Texas.

10. “Rhodium Case” means *Midas Green Technologies, LLC v. Rhodium Enterprises, Inc. et al*, 6:22-cv-00050-ADA, filed in Waco Division of the United States District Court for the Western District of Texas.

11. The term “Action” or “Lawsuit” refers to the above-captioned action, *Midas Green Technologies, LLC v. Green Revolution Cooling, Inc.*, 6:24-cv-116-ADA, filed in the Waco Division of the United States District Court for the Western District of Texas.

12. The term “document(s)” shall mean, according to L.R. CV-26(b)(2), any document or electronically stored information as described in Federal Rule of Civil Procedure 34(a). A draft of a nonidentical copy is a separate document within the meaning of this term. To prevent any ambiguity, “documents” includes, without limitation, WhatsApp messages, emails, documents located in Your Google Drive, hard-copies of documents before they were transcribed and/or digitized, correspondence, memoranda, notes, diaries, minutes, statistics, letters, telegrams, contracts, reports, studies, checks, statements, tags, labels, invoices, brochures, periodicals, receipts, summaries, pamphlets, books, prospectuses, interoffice and intra-office communications, e-mails, offers,

notations of any sort of conversations, working papers, applications, permits, surveys, indices, telephone calls, voice messages, meetings, printouts, teletypes, telefax, invoices, work sheets, text messages, and all drafts, alterations, modifications, changes and amendments of the foregoing, graphic or oral representations of any kind (including, without limitation, photographs, charts, microfiche, microfilm, videotape, recordings, motion pictures, plans, drawings, surveys), and electronic, mechanical, or electric records or representations of any kind (including, without limitation, tapes, cassettes, discs, recordings, and e-mail).

13. The term “thing(s)” shall be used in the most comprehensive and inclusive sense permitted by Fed. R. Civ. P. 34 and includes, but is not limited to, objects of every kind and nature other than a document. By way of example, and not by way of limitation, “thing” or “things” includes prototypes, models, specimens, and the like, and commercially manufactured items.

14. The term “communication(s)” shall mean, according to L.C. CV-26(b)(1), the transmittal of information (in the form of facts, ideas, inquiries or otherwise), which includes, but it not limited to any oral, written, or electronic transmittal of information or request for information made from one person to another person, whether made in person, electronically, by telephone, or by any other means and includes any document(s) made only for the purpose of recording a communication, a fact, an idea, a statement, an inquiry, an opinion, a belief, or otherwise. This definition includes calls, texts, and messages sent via WhatsApp, as well as emails.

15. The term “agreement(s)” shall mean any contract, transaction, license, or other arrangement of any kind, whether conditional, executed, executory, express, or implied, and whether oral or written, in which rights are granted or obligations are assumed. As used herein, “agreement(s)” shall encompass completed, actual, contemplated, or renewals of agreements.

16. The term “person(s)” shall mean any natural person, business entity, whether a corporation, partnership, limited partnership, association, unincorporated association, firm, or joint

venture, any governmental body or entity, whether a government agency, board, division, or department, or any other entity, and its directors, officers, employees, partners, employees, former employees, agents, and representatives.

17. The term “concerning” shall mean relating to, referring to, describing, evidencing, or constituting, and shall be construed in the broadest possible sense to require the production of all documents or things which contain or comprise any communication that refers to and any documents that discuss, mention, or pertain to the subject matter of the Requests.

18. The terms “relate to,” “refer to,” and any derivation thereof are used in their broadest possible sense and include all matters comprising, constituting, containing, concerning, embodying, reflecting, involving, discussing, describing, analyzing, identifying, stating, referring to, dealing with, or pertaining to in any way.

19. “Describe” when used in relation to an act, event, instance, occasion, transaction, conversation, or communication means: (i) to state the date and place thereof; (ii) to identify the individual participants; (iii) to summarize separately for each individual participant what was said or done; and (iv) to identify each document used or prepared in connection therewith or making any reference thereto.

20. “Identification,” “Identify,” or “Identity,” when used in reference to:

(a) a natural person, means: to state, to the extent known, (1) the person’s full name or title, last known address, e-mail address, and telephone number; (2) the person’s present employer(s) and place(s) of employment; and (3) the person’s job title or position held.

(b) an entity, other than a natural person, means: to state, to the extent known, (1) the name or title of the entity; (2) the type of entity; and (3) the present or last known address and telephone number of its business and/or organizational offices.

(c) a Document, means: to identify the Document by (1) its date, author, and addressee(s); (2) state the type of Document (e.g., letter, memorandum, etc.); (3) identify its present location and identity of its custodian; and (4) identify the Document by its Bates number range.

(d) a statement, either written or spoken, means: (1) the substance of each such statement; (2) the exact words used by each person participating in the statement; (3) to identify each person engaging in the statement; (4) the identity of each person present at the making or reception of such statement; (5) the time and place of the statement; (6) the means of such statement (e.g., written, telephone, face-to-face, etc.).

21. “Including” means including, but not limited to.

22. “Infringe” and “Infringement” should be understood to include direct infringement, inducement of infringement, literal infringement, and infringement by the doctrine of equivalents.

23. “Infringement Contentions” is defined as Plaintiff’s Infringement Contentions, including any amended or supplemented version(s) of the Infringement Contentions as of the date that such amended or supplemented version is served upon Defendant.

24. “Riot” means Riot Platforms, Inc., including each of its subsidiaries, parents, subsidiaries of subsidiaries or parents, divisions, affiliates in which it owns a majority or a controlling interest, and other organizational or operating units, including (but not limited to) Whinstone US, Inc., Riot Corsicana, LLC, and Project Lefty, LLC, as well as each of their respective predecessors and successors, and each of their respective employees, officers, directors, attorneys, agents, representatives, and all persons acting or purporting to act on its behalf its subsidiaries and/or affiliates.

25. “Third Party” means any natural person, corporation, partnership, association, joint venture, government body, or other legal entity other than Plaintiff or Defendant.

26. The “Rockdale Facility” means the Bitcoin mining data center facilities located at 2721 Charles Martin Hall Rd., Rockdale, Texas 76567, in Milam County, Texas, which is owned, operated, controlled, or otherwise affiliated with Riot.

27. The “Corsicana Facility” means the Bitcoin mining data center facilities located at 6980 FM 709 S. Corsicana, Texas 75110, in Navarro County, Texas, which is owned, operated, controlled, or otherwise affiliated with Riot.

28. “Riot’s Facilities” means any and all data center facilities owned, operated, controlled, or otherwise affiliated with Riot, including, but not limited to, the Rockdale Facility and the Corsicana Facility.

INSTRUCTIONS

1. The Documents produced pursuant to this demand must be produced in the same form and in the same order in which they existed prior to production or in which they were maintained in the ordinary course of business. Documents are to be produced in the boxes, file folders, bindings, or other containers in which the Documents are found. The title, labels, or other descriptions of the boxes, file folders, binders, or other containers are to be left intact. All ESI shall be produced in accordance with the Federal Rules, electronically (1) in native format; and (2) in the form that maximizes the ability to search the information by the use of search terms and that maximizes the amount of metadata that accompanies the information.

2. Whenever appropriate, verb tenses shall be interpreted to include past, present, and future tenses.

3. If any Document responsive to any of the following demands is withheld from production on the basis of privilege or otherwise, provide the following information in a Privilege Log for each such Document: (1) its date; (2) its title, if any; (3) its general subject matter; (4) the

author; (5) any recipients; and (6) the basis for such claim or privilege or other grounds for withholding production.

4. If information is redacted from a Document produced pursuant to these demands for production, identify the redaction by stamping the word “redacted” on the Document on the place or places where the information has been redacted, and separately provide information Concerning the subject matter of the redaction, the author of the redacted information, any recipient of the redacted information, and the basis for the redaction.

5. If only a portion of the Document is responsive, You must produce the entire Document in unredacted form, including any exhibits or attachments to the Document, unless the redaction is made on the basis of privilege or other legal protection. Where any redaction is made on the basis of privilege or other legal protection, identify the redaction by stamping the word “redacted” on the Document on the place or places where the information has been redacted, and separately provide information Concerning the subject matter of the redaction, the author of the redacted information, any recipient of the redacted information, and the basis for the redaction.

6. These Requests are continuing for all Documents that are sought that may later come into Your possession, custody, or control.

7. Any Document responsive to these Requests that was, but no longer is, in Your possession, custody or control, whether actual or constructive, shall be described as completely as possible, and the following information shall be provided:

- a. The manner of disposal, including destruction, loss, discarding, or any other means disposal;
- b. The date of disposal;
- c. The reason for disposal;
- d. Person disposing of the Document; and

e. The name and address of the most recent custodian of the Document.

8. If no Document exists which is responsive to a particular Request, state that no such Document exists.

9. With respect to the electronically stored information (ESI) requested herein, You are to include the projections, spreadsheets, models, and linked data sources in native electronic format (as opposed to PDF or similar format). This definition also incorporates by reference the provisions of any order concerning the production of ESI issued by the Court.

10. The singular form of each word shall be interpreted in the plural as well.

11. Any pronoun shall be construed to refer to the masculine, feminine, or neuter gender, as is most appropriate in each case.

12. The words “and,” “or,” and “and/or” shall be construed conjunctively or disjunctively, whichever maximizes the scope of each discovery request, definition, or in which they are used.

13. The words “any” and “all” shall be construed to mean “any and all.” The words “each” and “every” shall be construed to mean “each and every.”

14. The Protective Order entered in this case (Dkt. No. 60) is affixed hereto as Attachment B. Accordingly, if You maintain that any request below seeks information that is subject to any other protective order, privacy interest, nondisclosure agreement (“NDA”), contractual obligation, or other confidentiality agreement owed to any Third Party, You shall produce such information subject to the Protective Order, as there is no basis to otherwise withhold such information. If You refuse to produce any such requested information, You must Identify each document in accordance with Your obligations to provide a Privilege Log.

REQUESTS FOR PRODUCTION

REQUEST FOR PRODUCTION NO. 1: All “discoverable information relating to the “[Practicing Products]” that Midas’s CEO, Scott Sickmiller, testified about in his August 7, 2024 Declaration in Support of Riot’s Motion for Intra-District Transfer to Austin, and at his November 12, 2024 deposition in Austin, Texas, in the Riot Case. This request includes, but is not limited, to the design records, emails, WhatsApp messages, contracts, documents, non-disclosure agreements, master service agreements, purchase orders, technical documents, engineer drawings, schematics, processes, flow charts, diagrams, source code, bill of materials, CAD/CAE data, and CFD Data regarding the Practicing Products, as well as “Midas’s documents and records, including documents regarding the design, development, manufacturing, sale, and installation of the [Practicing Products].”

RESPONSE:

REQUEST FOR PRODUCTION NO. 2: All pleadings, contentions, discovery responses, prior art, expert reports, affidavits, declarations, technical tutorials, and transcripts from depositions and hearings that are not publicly available on the Court’s docket from any lawsuit in which You were involved relating to alleged infringement, validity, enforceability of, and damages associated with patents related to immersion-cooling systems or technologies that you have sold, offered for sale, created, implemented, designed, claim ownership over, supplied, or deployed, including, but not limited to, U.S. Patent No. 10,405,457 asserted in the Rhodium Case.

RESPONSE:

REQUEST FOR PRODUCTION NO. 3: All documents identified by You in response to any formal or informal Third Party request for documents or information—including, but not limited to requests from Riot—related to this Action, the Patent-in-Suit, the Related Patents, the Riot Case, the GRC Patents, the Related GRC Patents, the Practicing Products, any licensing agreements, contracts, and/or other information regarding this Action or the Riot case.

RESPONSE:

REQUEST FOR PRODUCTION NO. 4: All documents received by You in response to any formal or informal Third Party request for documents or information—including, but not limited to requests to Riot—related to this Action, the Patent-in-Suit, the Related Patents, the Riot Case, the GRC Patents, the Related GRC Patents, the Practicing Products, any licensing agreements, contracts, and/or other information regarding this Action or the Riot case.

RESPONSE:

REQUEST FOR PRODUCTION NO. 5: All Documents produced to You in response to any subpoenas propounded on Riot in the Rhodium Case.

RESPONSE:

REQUEST FOR PRODUCTION NO. 6: All Documents produced to You from any Third Party that were requested from such Third Party as part of this Action or the Riot Case, that relate to this litigation or the litigation in the Riot Case, and/or that were requested from a Third Party as part of the Rhodium Case or the Riot Case.

RESPONSE:

REQUEST FOR PRODUCTION NO. 7: Any agreements relating to the subject matter or outcome of this Action or the Riot Case, including agreements reflecting any financial or other interest in this Action's outcome or the Riot Case's outcome, or any Person's obligation to indemnify.

RESPONSE:

REQUEST FOR PRODUCTION NO. 8: \All communications discussing the subject matter of Request No. 7, including all communications discussing any financial or other interest in the outcome of this case, and all communications discussing any indemnity obligations. This request specifically includes documents relating to and reflecting notifications to or from suppliers and/or customers or requests for indemnification, and any responses thereto.

RESPONSE:

REQUEST FOR PRODUCTION NO. 9: Any settlement agreements, including any exhibits or attachments thereto, whether finalized or not, between You and any Third Party relating to the Patent-in-Suit or Your immersion cooling equipment solutions.

RESPONSE:

REQUEST FOR PRODUCTION NO. 10: All documents relating to any settlement negotiations, including any exhibits or attachments thereto, between You and any Third Party relating to the Patent-in-Suit or Your immersion cooling equipment solutions.

RESPONSE:

REQUEST FOR PRODUCTION NO. 11: All documents reflecting the date and circumstances of Your knowledge (including Your first awareness) of each of the GRC Patents, the patent applications for each of the GRC Patents, and/or any Related GRC Patents or application(s) therefor.

RESPONSE:

REQUEST FOR PRODUCTION NO. 12: All documents relating to or concerning any opinion of counsel that You have received, or of which You are aware, concerning the validity, infringement, or enforceability of the Patent-in-Suit or any of the GRC Patents, including all materials generated or used in the process of preparing such opinion(s).

RESPONSE:

REQUEST FOR PRODUCTION NO. 13: All documents that You have received or of which You are aware that compare the Patent-in-Suit or the GRC Patents to any of the Practicing Products.

RESPONSE:

REQUEST FOR PRODUCTION NO. 14: All documents relating to or reflecting any analysis, consideration, study, review, knowledge, or discussion of any of the GRC Patents or Related GRC Patents by Your non-legal personnel, including but not limited to executives, directors, engineers, technicians, scientists, contractors, and marketing/sales personnel.

RESPONSE:

REQUEST FOR PRODUCTION NO. 15: All documents showing the changes made to or contemplated for the Practicing Products, including but not limited to changes made to or contemplated to the Practicing Products in order to avoid infringement, or to otherwise design around the GRC Patents or Related GRC Patents.

RESPONSE:

REQUEST FOR PRODUCTION NO. 16: All documents You contend may constitute prior art to the Patent-in-Suit or the GRC Patents or that You believe may otherwise be relevant or material to the validity of the Patent-in-Suit or the GRC Patents.

RESPONSE:

REQUEST FOR PRODUCTION NO. 17: All documents relating to, supporting, refuting, or otherwise pertaining to secondary considerations of non-obviousness for the Patent-in-Suit or the GRC Patents.

RESPONSE:

REQUEST FOR PRODUCTION NO. 18: All documents supporting or refuting any belief or allegation by You that any asserted claim of the Patent-in-Suit is infringed or is not infringed, is valid or is invalid, or is enforceable or is unenforceable.

RESPONSE:

REQUEST FOR PRODUCTION NO. 19: All agreements relating to any Practicing Product and/or to any intellectual property related to any Practicing Product, including any of Your immersion cooling equipment solutions.

RESPONSE:

REQUEST FOR PRODUCTION NO. 20: All patents or patent applications assigned to You or to which You have any right, title, or interest.

RESPONSE:

REQUEST FOR PRODUCTION NO. 21: All documents referring to, referencing, discussing, or concerning GRC in Your possession, custody, or control.

RESPONSE:

REQUEST FOR PRODUCTION NO. 22: All documents sufficient to show the organizational structure of any entities, operating units, or departments with responsibility for the Practicing Products, including but not limited to those with responsibility for operation, design, development, testing, manufacturing, marketing, and sales.

RESPONSE:

REQUEST FOR PRODUCTION NO. 23: All documents relating to Your board of directors' meetings or other management meetings that concern GRC; any of GRC Patents; the Patent-in-Suit; the Action; the inventors of the Patent-in-Suit; the inventors of the GRC Patents (as identified on the face of the GRC Patents); or other actual, threatened, or contemplated litigation concerning GRC, its products, and/or its patents. This request includes, but is not limited to, meeting minutes, recordings, presentations, and agendas.

RESPONSE:

REQUEST FOR PRODUCTION NO. 24: All documents sufficient to describe all of Your electronic data and document retention policies.

RESPONSE:

REQUEST FOR PRODUCTION NO. 25: All documents relating to the research, design, development, functionality, conception, operation, or testing of any Practicing Product, including specifications, requirement documents, schematics, manuals, drawings, guides, instructions, test results, and layouts.

RESPONSE:

REQUEST FOR PRODUCTION NO. 26: All documents sufficient to identify the persons and/or entities involved in the operation, design, development, testing, manufacture, use, marking, and/or sale of the Practicing Products.

RESPONSE:

REQUEST FOR PRODUCTION NO. 27: All documents constituting or related to any bids,

offers, bills of sale, or invoices, for the Practicing Products, and any communications related thereto.

RESPONSE:

REQUEST FOR PRODUCTION NO. 28: All documents sufficient to show, for each Practicing Product on a quarterly basis, the number of products sold, delivered, installed, manufactured, or deployed by You to or for Riot, and the cost, revenue, and profit generated therefrom.

RESPONSE:

REQUEST FOR PRODUCTION NO. 29: All contracts and agreements with Riot related to the manufacture, testing, sale, development, delivery, installation, maintenance, or marketing of any Practicing Product and/or any of Your immersion cooling equipment solutions.

RESPONSE:

REQUEST FOR PRODUCTION NO. 30: All documents related to Your licensing policies and practices, including copies of all licenses You have entered into involving the Practicing Products and/or Your patents or patent applications.

RESPONSE:

REQUEST FOR PRODUCTION NO. 31: All documents reflecting or relating to Your actual or potential sales of the Practicing Products to Riot, including all communications related thereto.

RESPONSE:

REQUEST FOR PRODUCTION NO. 32: All documents sufficient to show any alleged lost profits that You attribute to GRC as a result of the alleged infringement of the Patent-in-Suit.

RESPONSE:

REQUEST FOR PRODUCTION NO. 33: All documents relating to how Riot instructs You on how to manufacture or use any Practicing Product, including any user manuals, articles, data sheets, instructions, or product specifications.

RESPONSE:

REQUEST FOR PRODUCTION NO. 34: All marketing material, presentations, white papers, brochures, public filings, and any studies, reports, or analyses relating to Your or Riot's use of the Practicing Products and/or Your immersion cooling equipment solutions.

RESPONSE:

REQUEST FOR PRODUCTION NO. 35: All documents relating to any products that compete with any Practicing Product, including any analyses of the strengths or weaknesses of those products compared to any Practicing Product and/or Your immersion cooling equipment solutions.

RESPONSE:

REQUEST FOR PRODUCTION NO. 36: All documents sufficient to identify any non-infringing alternative(s) or design around(s) to the Patent-in-Suit or the GRC Patents of which You are aware, or which You are presently investigating.

RESPONSE:

REQUEST FOR PRODUCTION NO. 37: All documents that relate or refer to any actual or alleged competitive advantages or disadvantages of the Practicing Products and/or Your immersion cooling equipment solutions compared to any competing products.

RESPONSE:

REQUEST FOR PRODUCTION NO. 38: All technical documents related to any of Your immersion cooling equipment solutions and/or any Practicing Products provided to Riot, including all engineering drawings, schematics, processes, flow charts, diagrams, source code, bill of materials, CAD/CAE data, CFD data, etc.

RESPONSE:

REQUEST FOR PRODUCTION NO. 39: All documents related to any warranties or guarantees provided by You for the Practicing Products and/or Your immersion cooling equipment solutions sold or provided to Riot.

RESPONSE:

REQUEST FOR PRODUCTION NO. 40: All documents sufficient to show Your cost of manufacturing (past and present), revenues, profits, sales, margins, costs, and expenses for the Practicing Products and/or Your immersion cooling equipment solutions sold or provided to any customer, including any projections of revenues, profits, sales, margins, costs, and expenses. This request specifically includes information broken down by the sales interval in which the records are kept (*i.e.*, monthly or quarterly), but at least annually.

RESPONSE:

REQUEST FOR PRODUCTION NO. 41: All purchase orders, requests for proposals, responses to requests for proposals, bids, business offers, bills, invoices, or other purchase and sale documents between You and Riot.

RESPONSE:

REQUEST FOR PRODUCTION NO. 42: All documents reflecting or relating to the advertising, marketing, promotion, sale, and/or commercialization of the Practicing Products and/or Your immersion cooling equipment solutions to, from, or with Riot.

RESPONSE:

REQUEST FOR PRODUCTION NO. 43: All documents related to royalty rates incurred by You or accrued to You for any license(s) related to the Practicing Products, Your immersion cooling equipment solutions, and/or Your patents.

RESPONSE:

REQUEST FOR PRODUCTION NO. 44: All documents concerning any payments made to or owed to You with respect to the Practicing Products, Your immersion cooling equipment solutions, and/or Your patents, including the basis and calculation for such payments, and any royalty reports.

RESPONSE:

REQUEST FOR PRODUCTION NO. 45: All documents concerning any discussions between You and any Third Party concerning a royalty rate related to the Patent-in-Suit, and the basis for calculating such royalty rate.

RESPONSE:

REQUEST FOR PRODUCTION NO. 46: All documents made available by You or counsel to any testifying expert witness, lay expert witness, or consulting expert witness whose work has been reviewed by a testifying expert, or witness whose recollection was refreshed by said Documents that relate to this Action, the Riot Case, or the Rhodium Case.

RESPONSE:

REQUEST FOR PRODUCTION NO. 47: All communications prior to March 22, 2023 with Riot regarding the Practicing Products, Your immersion cooling equipment solutions, and/or intellectual property rights (*e.g.*, offers for sale and sales of systems, cease & desist letters, offers to buy, sell, and/or license any patents, etc.).

RESPONSE:

REQUEST FOR PRODUCTION NO. 48: All documents sufficient to show the locations of each step of the manufacturing process and testing process for each Practicing Product and/or Your immersion cooling equipment solutions.

RESPONSE:

REQUEST FOR PRODUCTION NO. 49: All documents sufficient to identify the location, date, and controlling party of each instance of a manufacture, importation, sale, use, test, demonstration, or offer of sale into or within the United States, for each Accused Product and/or Your “immersion cooling equipment solutions.”

RESPONSE:

REQUEST FOR PRODUCTION NO. 50: All documents sufficient to identify all persons or entities involved in the operation, research, development, production, marketing, manufacture, or sales of the Practicing Products, the location of any such entity, the role and title, if any, of each such person, and each such person’s location.

RESPONSE:

REQUEST FOR PRODUCTION NO. 51: All documents reflecting or relating to the first time You alerted, notified, discussed, or otherwise communicated with Riot regarding the Patent-in-Suit, the GRC Patents, the patent applications for the Patent-in-Suit, the patent applications for the GRC Patents, or any Related Patents, Related GRC Patents, or application(s) therefor, including Your knowledge (including its first awareness) of same.

RESPONSE:

REQUEST FOR PRODUCTION NO. 52: All agreements relating to any patent rights related to immersion cooling systems, including any agreements that license any patent rights related to immersion cooling systems.

RESPONSE:

REQUEST FOR PRODUCTION NO. 53: All contracts related to the sale and installation of any immersion cooling systems provided to a Third Party, including Riot, prior to December 13, 2013.

RESPONSE:

REQUEST FOR PRODUCTION NO. 54: All technical documents related to any immersion cooling system provided to a Third Party, including Riot, prior to December 13, 2013, including all engineering drawings, schematics, process, flow charts, diagrams, source code, bill of materials, CAD/CAE data, CFD data, etc.

RESPONSE:

REQUEST FOR PRODUCTION NO. 55: All marketing documents, including presentations, white papers, and brochures, regarding immersion cooling systems provided by You, GRC, or any Third-Party.

RESPONSE:

REQUEST FOR PRODUCTION NO. 56: All documents sufficient to identify any immersion cooling system that You are aware of that was made, used, sold, or offered for sale by You or a Third-Party prior to December 13, 2013.

RESPONSE:

REQUEST FOR PRODUCTION NO. 57: All documents comparing Your immersion cooling systems to GRC's immersion cooling systems, including those disclosed in the GRC Patents, or to any Third-Party immersion cooling systems.

RESPONSE:

REQUEST FOR PRODUCTION NO. 58: All documents comparing or analyzing the products made, sold, or distributed by GRC that You allege infringe any claim of the Patent-in-Suit.

REQUEST FOR PRODUCTION NO. 59: RESPONSE: All articles, white papers, interviews, and other papers written by or about Your immersion cooling products/systems.

RESPONSE:

REQUEST FOR PRODUCTION NO. 60: All communications with GRC or any Third-Party regarding immersion cooling systems and/or intellectual property rights (*e.g.*, offers for sale and sales of systems, cease & desist letters, offers to buy, sell, and/or license any patents, etc.).

RESPONSE:

REQUEST FOR PRODUCTION NO. 61: All documents supporting Your allegation that any alleged infringement by GRC of the Patent-in-Suit was willful, knowing, or intentional.

RESPONSE:

Dated: March 10, 2025

Respectfully submitted,

GREENBERG TRAURIG, LLP

By: /s/ Ashley N. Moore

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Dallas, TX 75201

**ATTORNEYS FOR DEFENDANT
GREEN REVOLUTION COOLING, INC.**

CERTIFICATE OF SERVICE

I hereby certify that counsel of record who have appeared electronically in this case are being served with the foregoing on March 10, 2025 by way of the primary email address that said counsel supplied to the Court's CM/ECF system.

By: /s/ Ashley N. Moore

Ashley N. Moore