From: Tatum, Christian <ctatum@mwe.com>
Sent: Friday, April 4, 2025 10:20 PM
To: Michael Vincent; Aaron Pirouznia
Cc: Stratasys-MWE; ddacus@dacusfirm.com; Andrea L. Fair; Claire A. Henry; Shelly Prim; FR Service-Bambu Lab/Stratasys
Subject: RE: Case No. 2:24-cv-00644-JRG (E.D. Tex.); Stratasys, Inc. v. Shenzhen Tuozhu Tech. Co., Ltd. RFPs

Michael,

We are writing in response to your March 26th Letter.

We disagree with your characterization of Defendants' deficient document productions. While you contend that Defendants have produced "a plethora of technical documents," as of your March 26th letter Defendants had not produced ***a single non-public technical document***. The "over 8,000 documents" referenced in your letter are almost exclusively printouts of publicly available web pages, with ***over three-quarters of the documents being printouts of a third-party website*** (GitHub), most of which are simply screen captures of comments left by users on that site. The table below summarizes the **entirety** of Defendants' document production as of the March 26th date of your letter.

# of Documents	Type of Document
11	"Quick Start" guides for some of the Accused Products – none of which are confidential technical information of Bambu
1979	Bambu Wiki website printouts – none of which are confidential technical information of Bambu
6169	GitHub website printouts – none of which are confidential technical information of Bambu
53	Videos embedded in the Bambu Wiki website related to troubleshooting or setting up Bambu printers – none of which are confidential technical information of Bambu
223	Documents related to Defendants' Invalidity Contentions – none of which are confidential technical information of Bambu
2	Zip files containing the publicly available source code for Bambu Handy and Bambu Studio – none of which are confidential technical information of Bambu
2	Two deficient (please see letter dated March 28th) spreadsheets related to Defendants' financials – none of which are confidential technical information of Bambu

The March 27th production of 163 documents fares no better. While Defendants have designated many of these documents as confidential—indicating they are non-public—the production largely consists of scattered third-party specifications for seemingly unrelated components. For example, BAMBU-00041771 is a third-party specification for a thermal protector; BAMBU-00041792 and BAMBU-00041796 relate to generic parts such as capacitors; and BAMBU-00041808 appears to be more of the same. Beyond that, the production includes a small number of incomplete schematics and numerous data files (e.g., ".art," ".log," and ".txt" formats) that appear to be raw, unintelligible readouts. Several files (e.g., ".brd" files) seem to require specialized software to access—software Stratasys is still investigating. Defendants should explain why third-party documents were marked confidential. Most significantly, the production lacks the very types of documents that would ordinarily be in Defendants' possession, custody, or control—namely, detailed product specifications and design documentation.

Perhaps the most troubling issue plaguing Defendants' production is that nowhere among Bambu's productions to date does Stratasys find the "[s]ource code, specifications, schematics, flow charts, artwork, formulas, or other documentation" of the Accused Products required by P.R. 3-4(a). The only category for which you appear to have produced ***any*** such documents relates to source code, for which you have made a partial production of publicly available code, but you have still not produced the complete source code, even though ***over three months have passed since your P.R. 3-4(a) deadline***. While we await the source code review next week, it remains to be seen what Bambu is producing and what it continues to withhold. We are closely monitoring Bambu's continued delays in producing code and will advise the Court if this pattern does not change. Please also note that delaying or withholding source code will not be tolerated and Stratasys will seek all available remedies at the appropriate time. *See Ericsson Inc. v. TCL Commc'ns Tech. Holdings, Ltd.*, No. 2:15-cv-00011-RSP, Dkt. No. 98 (E.D. Tex., Sept. 4, 2015) (finding defendants' three-months-long delay in the production of a complete set of source code and technical documents pursuant to P.R. 3-4(a) inexcusable, despite defendants' production of publicly available source code and technical documents (e.g., user manuals); ordering defendants to fully comply with P.R. 3-4(a); and granting plaintiff's expenses, including its attorneys' fees, in bringing the motion to compel); *see also Textron Innovations v. SZ DJI Technology Co. et al.*, Case No. 6:21-cv-740-ADA, Dkt. No. 108 (W.D. Tex., Nov. 30, 2022) (granting adverse instruction stemming from defendants' failure to produce source code and "the jury should presume that the source code would have been favorable to Plaintiff ….").

Additionally, we disagree with your characterization of P.R. 3-4(a). The rule does not permit parties to self-define "sufficiency" or require the opposing party to itemize omissions. Your position that the document production required by P.R. 3-4(a) is limited to Defendants' determination of sufficiency has been explicitly rejected by Judge Gilstrap. *Edward D. Ioli Tr. v. Avigilon Corp.*, No. 2:10-CV-605-JRG, 2012 WL 5830711, at *3 (E.D. Tex. Nov. 16, 2012) ("P.R. 3–4(a) requires Vigilant to produce more than the bare minimum of what *it* believes is sufficient, including but not limited to any and all source code, specifications, schematics, flow charts, artwork, formulas, or other documentation in its possession.") (emphasis in original). Your position that it is Stratasys's obligation to spell out Bambu's deficiencies has been similarly rejected. *See id.* ("While Vigilant argues that Plaintiffs have not detailed deficiencies in Vigilant's production thus far, it is Vigilant that has the burden to explain how its document production thus far satisfies P.R. 3–4(a)."). For the reasons discussed above, your attempt to distinguish Judge Gilstrap's unequivocal reasoning in *Avigilon* on the basis that "Bambu has produced source code and copious amounts of technical documents," falls flat.

The documents enumerated in P.R. 3-4(a), as well as those sought by Stratasys's RFPs, are indisputably relevant to this dispute and discoverable. Your conclusory assertion regarding "proportionality" does not even attempt to explain why such discovery "is irrelevant, overly broad, or unduly burdensome or oppressive," as is Defendants' burden. *Id.* at *1.

Please provide a date certain by which Stratasys can expect to receive a production of **<u>any and all</u>** "source code, specifications, schematics, flow charts, artwork, formulas, or other documentation in [Defendants'] possession" related to the Accused Products. *Id.* If we do not receive this by April 10, please provide your availability to meet and confer on April 11 so we can bring this lingering issue to the Court's attention.

Regards,
Christian

CHRISTIAN TATUM
Associate
McDermott Will & Emery LLP 300 Colorado Street, Suite 2200, Austin, TX 78701
Tel +1 512 298 4614 **Email** ctatum@mwe.com
Website | vCard | LinkedIn

From: Michael Vincent <vincent@fr.com>
Sent: Wednesday, March 26, 2025 2:04 PM
To: Tatum, Christian <ctatum@mwe.com>; Aaron Pirouznia <pirouznia@fr.com>
Cc: Stratasys-MWE <Stratasys-MWE@mwe.com>; ddacus@dacusfirm.com; Andrea L. Fair <andrea@millerfairhenry.com>; Claire A. Henry <claire@millerfairhenry.com>; Shelly Prim <Prim@fr.com>; FR Service-

Bambu Lab/Stratasys <FRServiceBambuLabStratasys@fr.com>
Subject: RE: Case No. 2:24-cv-00644-JRG (E.D. Tex.); Stratasys, Inc. v. Shenzhen Tuozhu Tech. Co., Ltd. RFPs

[External Email]

Hello Christian,

Please see the attached letter that responds to the below concerns. We are working on another production of technical documents for service by tomorrow, and will continue to produce documents on a rolling basis with increased frequency. We anticipate further productions by next week as well.

Thanks,
Michael

From: Tatum, Christian <ctatum@mwe.com>
Sent: Thursday, March 20, 2025 7:43 PM
To: Aaron Pirouznia <pirouznia@fr.com>
Cc: Stratasys-MWE <Stratasys-MWE@mwe.com>; ddacus@dacusfirm.com; Andrea L. Fair <andrea@millerfairhenry.com>; Claire A. Henry <claire@millerfairhenry.com>; Shelly Prim <Prim@fr.com>; FR Service-Bambu Lab/Stratasys <FRServiceBambuLabStratasys@fr.com>
Subject: RE: Case No. 2:24-cv-00644-JRG (E.D. Tex.); Stratasys, Inc. v. Shenzhen Tuozhu Tech. Co., Ltd.

Counsel,

Thank you for meeting and conferring on February 28, 2025 regarding Defendants' deficient document production. We are following up because Defendants' document production remains deficient.

Stratasys's First Set of Requests to Defendants for Production of Documents and Things (Nos. 1-31) ("Stratasys's RFP Nos. 1-31"):
As discussed during the meet and confer, Stratasys's RFP Nos. 1-31 were served on November 6, 2024, ***over four months ago***. You have yet to provide a response to Stratasys's RFP Nos. 1-31, nor have you lodged any objections. Instead, on November 19, 2024, you served seventy-eight of your own requests for production. Stratasys reviewed and responded to each of your requests for production on January 22, 2025, both substantively and with objections.

On February 18, 2025, we sent you a letter (1) identifying twenty-six of Stratasys's requests for production for which not a single document had been produced and (2) asking you to promptly respond to Stratasys's RFP Nos. 1-31 by February 26, 2025 to avoid further prejudice. You failed to respond or address these deficiencies.

During the parties' meet and confer on February 28th, you agreed to provide a written response to Stratasys's RFP Nos. 1-31 that individually addresses each of Stratasys's thirty-one requests for production. Three weeks have since passed, and you have still not provided your response. Please provide your response and any objections you have, as well as any responsive documents, by **March 27th**. If Defendants fail to respond by the 27th, Stratasys will understand that you have no objections to Stratasys's RFP Nos. 1-31 and that any future objections to these requests have been waived.

Defendants' Deficient Disclosures under P.R. 3-4:
Additionally, after we raised the issue of Defendants' deficient P.R. 3-4(a) production during the meet and confer, you told us that additional document productions were forthcoming. We have yet to receive any additional document productions. At this point, seven weeks have passed since your January 30th P.R. 3-4(a) disclosure deadline, and you have yet to produce a single non-public document. Your production to date fails to satisfy your obligations under P.R. 3-4. *See Edward D. Ioli Tr. v. Avigilon Corp.*, No. 2:10-CV-605-JRG, 2012 WL 5830711, at *3 (E.D. Tex. Nov. 16, 2012) ("P.R. 3–4(a) requires [Defendants] to produce more than the bare minimum of what it believes is sufficient, including but not

limited to **any and all** source code, specifications, schematics, flow charts, artwork, formulas, or other documentation **in its possession**…. It is undisputed that [Defendants are] **obligated to produce all** source code, specifications, schematics, flow charts, artwork, formulas, or other documentation as required by P.R. 3–4(a) **in its possession**.") (emphasis added). The prejudice to Stratasys from your delay only grows by the day. By **March 27th**, please provide a date certain by which Stratasys can expect to receive a production of "**any and all** source code, specifications, schematics, flow charts, artwork, formulas, or other documentation in [Defendants'] possession." *Id.*

Regards,
Christian

CHRISTIAN TATUM
Associate
McDermott Will & Emery LLP 300 Colorado Street, Suite 2200, Austin, TX 78701
Tel +1 512 298 4614 **Email** ctatum@mwe.com
Website | vCard | LinkedIn

From: Aaron Pirouznia <pirouznia@fr.com>
Sent: Friday, March 14, 2025 11:53 AM
To: Tatum, Christian <ctatum@mwe.com>
Cc: Stratasys-MWE <Stratasys-MWE@mwe.com>; ddacus@dacusfirm.com; Andrea L. Fair <andrea@millerfairhenry.com>; Claire A. Henry <claire@millerfairhenry.com>; Shelly Prim <Prim@fr.com>; FR Service-Bambu Lab/Stratasys <FRServiceBambuLabStratasys@fr.com>
Subject: RE: Case No. 2:24-cv-00644-JRG (E.D. Tex.); Stratasys, Inc. v. Shenzhen Tuozhu Tech. Co., Ltd.

[External Email]

Counsel,

Please see the attached correspondence regarding Stratasys's deficient document production.

Thanks,
Aaron

Aaron P. Pirouznia
Principal ■ Fish & Richardson P.C.
T: 214 292 4073 | pirouznia@fr.com | Bio

From: Tatum, Christian <ctatum@mwe.com>
Sent: Monday, February 24, 2025 5:16 PM
To: Aaron Pirouznia <pirouznia@fr.com>; Shelly Prim <Prim@fr.com>; FR Service-Bambu Lab/Stratasys <FRServiceBambuLabStratasys@fr.com>
Cc: Stratasys-MWE <Stratasys-MWE@mwe.com>; ddacus@dacusfirm.com; Andrea L. Fair <andrea@millerfairhenry.com>; Claire A. Henry <claire@millerfairhenry.com>
Subject: RE: Case No. 2:24-cv-00644-JRG (E.D. Tex.); Stratasys, Inc. v. Shenzhen Tuozhu Tech. Co., Ltd.

Aaron,

I can confirm that 2-3 pm on February 28th works for us. I will send you an invite for that time.

Regards,

Christian

CHRISTIAN TATUM
Associate
McDermott Will & Emery LLP 300 Colorado Street, Suite 2200, Austin, TX 78701
Tel +1 512 298 4614 **Email** ctatum@mwe.com
Website | vCard | LinkedIn

From: Aaron Pirouznia <pirouznia@fr.com>
Sent: Monday, February 24, 2025 4:45 PM
To: Tatum, Christian <ctatum@mwe.com>; Shelly Prim <Prim@fr.com>; FR Service-Bambu Lab/Stratasys <FRServiceBambuLabStratasys@fr.com>
Cc: Stratasys-MWE <Stratasys-MWE@mwe.com>; ddacus@dacusfirm.com; Andrea L. Fair <andrea@millerfairhenry.com>; Claire A. Henry <claire@millerfairhenry.com>
Subject: RE: Case No. 2:24-cv-00644-JRG (E.D. Tex.); Stratasys, Inc. v. Shenzhen Tuozhu Tech. Co., Ltd.

[External Email]

Hi Christian,

Just wanted to confirm this so I can get it on my calendar. Do you want us to send an invite?

Thanks,
Aaron

From: Aaron Pirouznia
Sent: Thursday, February 20, 2025 4:05 PM
To: 'Tatum, Christian' <ctatum@mwe.com>; Shelly Prim <Prim@fr.com>; FR Service-Bambu Lab/Stratasys <FRServiceBambuLabStratasys@fr.com>
Cc: Stratasys-MWE <Stratasys-MWE@mwe.com>; ddacus@dacusfirm.com; Andrea L. Fair <andrea@millerfairhenry.com>; Claire A. Henry <claire@millerfairhenry.com>
Subject: RE: Case No. 2:24-cv-00644-JRG (E.D. Tex.); Stratasys, Inc. v. Shenzhen Tuozhu Tech. Co., Ltd.

Hi Christian,

2-3 pm on February 28 works for us.

Thanks,
Aaron

From: Tatum, Christian <ctatum@mwe.com>
Sent: Tuesday, February 18, 2025 7:18 PM
To: Aaron Pirouznia <pirouznia@fr.com>; Shelly Prim <Prim@fr.com>; FR Service-Bambu Lab/Stratasys <FRServiceBambuLabStratasys@fr.com>
Cc: Stratasys-MWE <Stratasys-MWE@mwe.com>; ddacus@dacusfirm.com; Andrea L. Fair <andrea@millerfairhenry.com>; Claire A. Henry <claire@millerfairhenry.com>
Subject: RE: Case No. 2:24-cv-00644-JRG (E.D. Tex.); Stratasys, Inc. v. Shenzhen Tuozhu Tech. Co., Ltd.

[This email originated outside of F&R.]

Aaron,

In relation to the above-referenced matter, attached for service please find Plaintiff Stratasys, Inc.'s correspondence regarding Defendants' document production deficiencies. Counsel for Plaintiff is available to meet and confer regarding the issues raised in Defendants' February 10th correspondence, as well as the issues raised in Plaintiff's attached letter, at 2-3pm or 4-5pm on February 27th or 28th. Please let us know if one of those times works for Defendants.

Regards,
Christian

CHRISTIAN TATUM
Associate
McDermott Will & Emery LLP 300 Colorado Street, Suite 2200, Austin, TX 78701
Tel +1 512 298 4614 **Email** ctatum@mwe.com
Website | vCard | LinkedIn

From: Aaron Pirouznia <pirouznia@fr.com>
Sent: Tuesday, February 18, 2025 10:19 AM
To: Shelly Prim <Prim@fr.com>; Stratasys-MWE <Stratasys-MWE@mwe.com>; ddacus@dacusfirm.com; Andrea L. Fair <andrea@millerfairhenry.com>; Claire A. Henry <claire@millerfairhenry.com>
Cc: FR Service-Bambu Lab/Stratasys <FRServiceBambuLabStratasys@fr.com>
Subject: RE: Case No. 2:24-cv-00644-JRG (E.D. Tex.); Stratasys, Inc. v. Shenzhen Tuozhu Tech. Co., Ltd.

> Some people who received this message don't often get email from pirouznia@fr.com. Learn why this is important

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Counsel,

We have not heard back on your availability to meet and confer. Please respond.

Thank you,
Aaron

Aaron P. Pirouznia
Principal ■ Fish & Richardson P.C.
T: 214 292 4073 | pirouznia@fr.com | Bio

From: Shelly Prim <Prim@fr.com>
Sent: Tuesday, February 11, 2025 9:13 AM
To: Stratasys-MWE@mwe.com; ddacus@dacusfirm.com; Andrea L. Fair <andrea@millerfairhenry.com>; Claire A. Henry <claire@millerfairhenry.com>
Cc: FR Service-Bambu Lab/Stratasys <FRServiceBambuLabStratasys@fr.com>
Subject: FW: Case No. 2:24-cv-00644-JRG (E.D. Tex.); Stratasys, Inc. v. Shenzhen Tuozhu Tech. Co., Ltd.

On behalf of Mr. Pirouznia,

Please find the attached correspondence for your review.

Regards.

Shelly L. Prim
Litigation Paralegal to Carl E. Bruce, Ricardo J. Bonilla, Lance E. Wyatt, Jr., Rae Crisler, Aaron Pirouznia, and Nan Lan
1717 Main Street | Suite 5000 | Dallas, TX 75201|
direct: (214) 760-6152 | main: (214) 747-5070 | facsimile: (214) 747-2091 | prim@fr.com | www.fr.com |

From: Shelly Prim
Sent: Monday, February 10, 2025 3:51 PM
To: 'kmeek@mwe.com' <kmeek@mwe.com>
Cc: Aaron Pirouznia (pirouznia@fr.com) <pirouznia@fr.com>; Brandon Avers <avers@fr.com>
Subject: Case No. 2:24-cv-00644-JRG (E.D. Tex.); Stratasys, Inc. v. Shenzhen Tuozhu Tech. Co., Ltd.

On behalf of Mr. Pirouznia,

Please find the attached correspondence for your review.

Regards.

Shelly L. Prim
Litigation Paralegal to Carl E. Bruce, Ricardo J. Bonilla, Lance E. Wyatt, Jr., Rae Crisler, Aaron Pirouznia, and Nan Lan
1717 Main Street | Suite 5000 | Dallas, TX 75201|
direct: (214) 760-6152 | main: (214) 747-5070 | facsimile: (214) 747-2091 | prim@fr.com | www.fr.com |

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