

Chris Jones

From: Mark Deming <MDeming@Polsinelli.com>
Sent: Monday, June 16, 2025 2:17 PM
To: Sitzman, Mike
Cc: DLA-Neurelis; Valtoco-MWE; Padagis DNS
Subject: RE: Neurelis v Padagis - Depositions

Mike,

Just following up here, in particular on availability of Neurelis witnesses and whether there are any third-party witnesses that Neurelis would agree not to call at trial.

Thank you,
Mark

Mark Deming

Shareholder

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From: Mark Deming <MDeming@Polsinelli.com>
Sent: Monday, June 9, 2025 2:09 PM
To: Sitzman, Mike <msitzman@mwe.com>
Cc: DLA-Neurelis <DLA-Neurelis@us.dlapiper.com>; Valtoco-MWE <Valtoco-MWE@mwe.com>; Padagis DNS <padagis-dns@polsinelli.com>
Subject: Neurelis v Padagis - Depositions

Mike,

We wanted to touch base on several issues related to upcoming depositions:

Padagis Witnesses

Padagis previously designated [REDACTED] to testify to certain 30b6 topics. We have since learned from [REDACTED] and will be physically unable to sit for a deposition. Padagis is therefore designating [REDACTED] in his place.

For the depositions, the following dates are presently available:

- [REDACTED] – July 8, 9, 15, and 16.
- [REDACTED] – July 15 and 16
- [REDACTED] – July 9

- [REDACTED] – July 9-11, July 14-17

The parties have agreed these depositions will proceed remotely by video conference. It recently came to our attention that under Israeli law proceeding this way may require obtaining approvals from both U.S. and Israeli courts. We are working with local Israeli counsel to confirm procedures and will let you know soon if we require Neurelis's express consent for any filings.

Neurelis 30b6 Witnesses

Neurelis has designated [REDACTED] for certain 30b6 topics. Please provide dates on which these individuals are available for deposition between July 7 and July 17.

Additionally, based on your correspondence and responses, Neurelis appears to be refusing to designate witnesses as to topics 1, 2, 4, 6-11, 13-19, 24, 27, 30-31, 33, and 35-38. We do not understand the basis for Neurelis's refusal as each of the topics is relevant to the claims and defenses at issue in the case. Please let us know if Neurelis agrees to designate witnesses for these topics, and if so who the witnesses will be, or else let us know when you are available to meet and confer.

Third-Party Witnesses

Padagis served subpoenas on third party witnesses Hale, Mederios, Mitchnick, Cartt, Loxley, and Gwozdz. These are inventors of the asserted patents who Neurelis has listed in its initial disclosures as witnesses on whose testimony it may rely. In the interest of conserving both parties' resources, Padagis may forego some of these depositions if Neurelis agrees not to call them at trial or the otherwise rely on testimony from them. Please let us know if Neurelis agrees as to any of the inventor witnesses.

Also, it's our understanding that counsel for Neurelis also represents [REDACTED]. If that is not correct as to any of those witnesses, please let us know.

Finally, it is our understanding that counsel for Neurelis is not representing [REDACTED]. However, we recently received correspondence from you purporting to pass on a message from [REDACTED] about whether service of a subpoena on him was proper and effective. Neurelis (or its counsel) apparently has contact information for [REDACTED] and is capable of communicating with him, and yet in its Rule 26 disclosures the only contact information Neurelis provided was the single word [REDACTED]. Please provide any and all contact information that Neurelis or its counsel has for [REDACTED].

Thank you,
Mark

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