

James Murphy

From: Tobin, David <dtobin@mcdermottlaw.com>
Sent: Friday, March 27, 2026 2:54 PM
To: James Murphy; Sitzman, Mike; Best, Timothy; Raymond.Miller; Endejann, Nicole; Neurelis-PTAB
Cc: Mark Deming; Chad Landmon; Corey Casey
Subject: RE: IPR2025-00464, -465, -466 | Depositions of Cartt, Mitchnick, and Hale

EXTERNAL EMAIL dtobin@mcdermottlaw.com



James,

As discussed during our March 25 meet and confer, these are the earliest dates that these third parties can be available. Given the limited scope of their declarations, the only issue for which these witnesses would be deposed in the IPR Proceedings relates to the JRA. Because the Board has twice ruled against Neurelis on its ability to amend the patents to assert the 103(c)(2) defense, we do not believe that there is any prejudice to Padagis to proceed with their depositions on the dates provided. We will continue to hold the dates in the event that you decide you want to proceed with them. If you do not confirm Padagis's intention to proceed with the depositions by April 1, 2026, however, we will release the dates previously provided.

With regard to your request to seek authorization to file a motion to strike in view of the foregoing, you may state Neurelis's position as follows: "Patent Owner has met and conferred with Petitioner and provided deposition dates for the third-party declarants. Accordingly, Patent Owner opposes striking any of the third-party declarations. Patent Owner has not seen a draft email prior to Petitioner sending it to the Board."

Best,
David

David Tobin
Partner

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From: James Murphy <jpmurphy@polsinelli.com>
Sent: Thursday, March 26, 2026 12:00 PM
To: Tobin, David <dtobin@mcdermottlaw.com>; Sitzman, Mike <msitzman@mcdermottlaw.com>; Best, Timothy <tbest@mcdermottlaw.com>; Raymond.Miller <Raymond.Miller@us.dlapiper.com>; Endejann, Nicole

<Nicole.Endejann@us.dlapiper.com>; Neurelis-PTAB <Neurelis-PTAB@mcdermottlaw.com>

Cc: mdeming@polsinelli.com; Chad Landmon <clandmon@polsinelli.com>; Corey Casey <CCasey@Polsinelli.com>

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[External Email]

David,

As we noted in the meet and confer, those dates are not feasible in view of the schedule for these proceedings. The purpose of the depositions is to inform the arguments for our Petitioner Reply and your proposed dates are well after our reply is due. If you can agree to produce all three witnesses by April 10, we believe we can accommodate such depositions by extending Due Dates 2 and 3 accordingly.

If the witnesses are not timely available, we will proceed to file our reply without deposing them and seek to strike the declarations. It is our understanding from the meet and confer that you believe the Board's order of March 9, 2026 (Paper 38) does not authorize motions to strike in view of the dates you proposed. While we disagree that your proposed dates satisfy the spirit of the Board's order, we will nonetheless email the Board again to confirm authorization to file the motions.

Regards,

James Murphy

Shareholder

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From: Tobin, David <dtobin@mcdermottlaw.com>

Sent: Wednesday, March 25, 2026 4:08 PM

To: James Murphy <jpmurphy@polsinelli.com>; Sitzman, Mike <msitzman@mcdermottlaw.com>; Best, Timothy <tbest@mcdermottlaw.com>; Raymond.Miller <Raymond.Miller@us.dlapiper.com>; Endejann, Nicole <Nicole.Endejann@us.dlapiper.com>; Neurelis-PTAB <Neurelis-PTAB@mcdermottlaw.com>

Cc: Mark Deming <MDeming@Polsinelli.com>; Chad Landmon <clandmon@polsinelli.com>; Corey Casey <CCasey@Polsinelli.com>

Subject: RE: IPR2025-00464, -465, -466 | Depositions of Cartt, Mitchnick, and Hale

EXTERNAL EMAIL dtobin@mcdermottlaw.com

Dear Counsel,

We write regarding the above-captioned cases to address the Board's order of March 9, 2026 (Paper 38). We met and conferred today to discuss depositions of the three third-party declarants. We offered you the following dates, subject to the witnesses' final confirmation:

- David Hale: April 29
- Mark Mitchnick: May 5

- Steve Cartt: May 7

Please let us know how you would like to proceed.

Regards,
David

David Tobin
Partner

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From: James Murphy <jpmurphy@polsinelli.com>
Sent: Tuesday, March 24, 2026 1:16 PM
To: Tobin, David <dtobin@mcdermottlaw.com>; Sitzman, Mike <msitzman@mcdermottlaw.com>; Best, Timothy <tbest@mcdermottlaw.com>; Raymond.Miller <Raymond.Miller@us.dlapiper.com>; Endejann, Nicole <Nicole.Endejann@us.dlapiper.com>; Neurelis-PTAB <Neurelis-PTAB@mcdermottlaw.com>
Cc: mdeming@polsinelli.com; Chad Landmon <clandmon@polsinelli.com>; Corey Casey <CCasey@Polsinelli.com>
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[External Email]

Hi David,

11am ET tomorrow is good with us for a meet and confer.

Regards,
James Murphy
Shareholder

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From: Tobin, David <dtobin@mcdermottlaw.com>
Sent: Tuesday, March 24, 2026 9:52 AM
To: James Murphy <jpmurphy@polsinelli.com>; Sitzman, Mike <msitzman@mcdermottlaw.com>; Best, Timothy <tbest@mcdermottlaw.com>; Raymond.Miller <Raymond.Miller@us.dlapiper.com>; Endejann, Nicole

<Nicole.Endejann@us.dlapiper.com>; Neurelis-PTAB <Neurelis-PTAB@mcdermottlaw.com>

Cc: Mark Deming <MDeming@Polsinelli.com>; Chad Landmon <clandmon@polsinelli.com>; Corey Casey <CCasey@Polsinelli.com>

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James,

Thanks for your email. Please let us know if you are available to meet and confer with us on Wednesday, March 25, from 10 am – 2 pm ET (9 am – 1 pm CT) to discuss.

-David

David Tobin

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From: James Murphy <jpmurphy@polsinelli.com>

Sent: Monday, March 23, 2026 5:16 PM

To: Sitzman, Mike <msitzman@mcdermottlaw.com>; Tobin, David <dtobin@mcdermottlaw.com>; Best, Timothy <tbest@mcdermottlaw.com>; Raymond.Miller <Raymond.Miller@us.dlapiper.com>; Endejann, Nicole <Nicole.Endejann@us.dlapiper.com>; Neurelis-PTAB <Neurelis-PTAB@mcdermottlaw.com>

Cc: mdeming@polsinelli.com; Chad Landmon <clandmon@polsinelli.com>; Corey Casey <CCasey@Polsinelli.com>

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[External Email]

Counsel,

In the Board's March 9, 2026 order, it instructed the parties to meet and confer again on deposing Messrs. Cartt, Mitchnick, and Hale after the Board's rehearing decision, which issued on March 20, 2026. Let us know if Patent Owner is now willing to make these three witnesses available to be deposed and their available dates. If Patent Owner declines to make the witnesses available for deposition then we intend to move forward with the motion to strike as previously authorized in the Board's March 9 order.

Regards,

James Murphy

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