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UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

MEDTRONIC, INC.,
Petitioner,
v.

MOSKOWITZ FAMILY LLC,
Patent Owner

IPR2026-00162
Patent No. 12,011,367

DECLARATION OF ERIC SUGALSKI IN SUPPORT OF PATENT OWNER'S RESPONSE

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I, Eric Sugalski, declare as follows:

1. My name is Eric Christopher Sugalski. I am a mechanical engineer and have worked in medical device design, development, and commercialization for approximately twenty-five years.

2. I received a Bachelor of Science degree in Mechanical Engineering from the University of Colorado Boulder and an M.B.A. from the Massachusetts Institute of Technology Sloan School of Management. Earlier in my career, I held engineering and product-development positions with firms including IDEO and Insight Product Development. My engineering work has included mechanical and electromechanical design, CAD modeling, design analysis, prototyping, and design for manufacturing and assembly of medical devices.

3. In approximately 2009, I founded Boston Device Development, Inc. ("Boston Device"), a medical-device product-development firm. Boston Device worked with medical-device companies and inventors to develop engineering concepts into functional prototypes and to advance products through the development process. Boston Device later became part of the company now known as Archimedic. I sold my remaining interest in Archimedic in 2025.

4. I currently operate Tangram MedTech, through which I advise medical-device companies regarding technical, regulatory, manufacturing, and commercial issues. I also teach in the University of Pennsylvania School of

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Engineering and Applied Science. I have been named as an inventor on approximately thirty patents and have worked on medical devices in a variety of fields, including surgical devices, medical electronics, diagnostics, and drug-delivery devices.

5. In 2011, Boston Device performed engineering and product-development work for Flexispine in connection with the development of multiple expandable intervertebral fusion implant concepts and embodiments. David Schoon and I worked with Dr. Moskowitz and Andy Moskowitz to develop and refine different mechanisms for controlled expansion and implant features for engaging the vertebrae, receiving bone-graft material, and interacting with surgical instruments. Our work also included preparing and revising engineering drawings and CAD models, developing a physical prototype, and performing early mechanical evaluation. The expandable implant work was part of a broader Flexispine development effort involving expandable spinal implant systems and associated surgical instrumentation.

6. During this work, I communicated regularly with Andy Moskowitz and also communicated directly with Dr. Nathan Moskowitz regarding the developing implant designs, design requirements, prototype development, and related engineering issues. I also worked closely with David Schoon, another Boston Device engineer who participated in the project.

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7. In preparing this declaration, I reviewed contemporaneous project records, including the exhibits addressed below. Those records assisted me in identifying and recalling the work I performed and communications in which I participated. My testimony below is based on my personal knowledge of that work and the contemporaneous records concerning work in which I personally participated.

Exhibit 2025

8. I have reviewed Exhibit 2025, which is an April 11, 2011 email exchange between Andy Moskowitz and me with the subject line "new prototyping Project." I recognize this as an email that I received from Andy and my response to him later that day. I recognize the exchange based on the email addresses, date, subject matter, contents of the messages, and the message attributed to me. The email from eric@bostondevice.com is an email that I wrote and sent. Exhibit 2025 is a true and accurate copy of this email exchange.

9. This exchange occurred at the beginning of Boston Device's 2011 engineering work on the expandable implant project described above. I understood Andy to be asking Boston Device to perform engineering work on an expandable lumbar fusion device, including evaluating and developing its mechanical design and developing a workable prototype. My response reflected that understanding. I

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proposed spending several days developing concepts to review with Andy and Dr. Moskowitz, followed by additional engineering and prototyping work.

Exhibit 2127

10. I have reviewed Exhibit 2127. It begins with a May 3, 2011 email that I sent from my Boston Device email address to Andy Moskowitz, copying David Schoon, with the subject line "Fusion Device Review." I recognize the email based on the email addresses, date, subject matter, and contents of the message, including the materials described in it. I wrote and sent that email. The email appearing on the first page of Exhibit 2127 is a true and accurate copy of my May 3, 2011 email.

11. In that email, I transmitted engineering materials that Boston Device had prepared as part of our work on the expandable implant project. One of the attachments was a PDF titled "110503 Flexispine Review.pdf." I have reviewed pages labeled MOSKOWITZ-00084853 through MOSKOWITZ-00084862 of Exhibit 2127 and recognize them as a true, accurate, and complete copy of that PDF attachment. Those materials include our engineering review of a wedge-based expandable implant design and five additional concepts for mechanisms that could be used to expand a fusion implant.

12. The five hand-drawn concepts shown at pages MOSKOWITZ-00084858 through MOSKOWITZ-00084862 of Exhibit 2127 are sketches that I

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prepared. They depict, respectively, a scissor-jack mechanism, a tapered-thread mechanism, a drywall-anchor mechanism, a modified-wedge mechanism, and a worm-drive mechanism. I recognize my handwriting and initials on those sketches.

13. When I referred in my May 3 email to these drawings as "Sketch-level concepts," I was describing the form in which the concepts were documented. In my engineering work, a sketch-level concept is typically a hand-drawn or two-dimensional illustration used to communicate a mechanical concept and ordinarily does not itself include a physical prototype. I did not use "sketch-level" to mean that the drawings lacked a defined mechanical arrangement or intended operation. The sketches depict the components and mechanical operation of the alternative expansion mechanisms that we were developing and evaluating with the Moskowitzes.

14. For example, the modified-wedge sketch shown at MOSKOWITZ-00084861 of Exhibit 2127 depicts a top portion of the implant, a pivot, a wedge, a screw, and a retaining ring and shows how those components interact. As I wrote on the sketch, rotation of the screw drives the wedge axially, forcing the top to pivot upward. That was the intended mechanical operation of the modified-wedge concept depicted in the drawing.

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15. The materials transmitted with my May 3 email also included the "E-drawing of the updated wedge-based device with spikes" referenced in the email. I have reviewed the page labeled MOSKOWITZ-00084852 of Exhibit 2127 and recognize it as a true and accurate copy of that engineering drawing. The drawing depicts the updated wedge-based expandable implant design with spikes that Boston Device had prepared as part of our work on the expandable implant project.

Exhibit 2028

16. I have reviewed Exhibit 2028, which is an email exchange between Andy Moskowitz and me concerning the Flexispine work. I received Andy's May 4, 2011 email and wrote and sent the May 5, 2011 response from my Boston Device email address. I recognize the exchange based on the email addresses, dates, subject matter, contents of the messages, and the communications attributed to me. The email exchange reproduced in Exhibit 2028 is a true and accurate copy of the emails I sent and received.

17. The portion of my May 5 email beginning "Regarding the lumbar fusion project" concerned the expandable implant development work described above. As reflected in my email, I had discussed the implant designs with Dr. Moskowitz and then received additional written comments from Andy. I wrote the May 5 email to summarize my understanding of the engineering work that we had discussed, including adapting the design to accommodate screws, replacing the

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spikes with ridges on the upper and lower bone-facing surfaces, modifying the dimensions and direction of expansion, and modifying the screw angle to facilitate access by the clinician.

18. My May 5 email also addressed the additional expandable implant concepts that we had circulated on May 3. We planned to evaluate those concepts using engineering criteria, develop a selected concept further in three-dimensional CAD for potential prototype fabrication, and prepare additional three-dimensional drawings of the concepts for patent illustrations. This was part of the continuing engineering work on the expandable implant concepts and embodiments that Boston Device was developing with Dr. Moskowitz and Andy Moskowitz.

Exhibit 2029

19. I have reviewed Exhibit 2029. It begins with a May 18, 2011 email that I sent from my Boston Device email address to Dr. Nathan Moskowitz and Andy Moskowitz, copying David Schoon, with the subject line "Fusion Device - Prototype Design & Fabrication." I recognize the email based on the email addresses, date, subject matter, contents of the message, and the engineering materials described in it. I wrote and sent that email. The email appearing at page 1 of Exhibit 2029 is a true and accurate copy of my May 18, 2011 email.

20. The May 18 email concerned the continuing engineering and prototype-development work on the expandable implant project. By that time, the

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particular expandable implant design reflected in Exhibit 2029 had been developed in three-dimensional engineering form, and Boston Device had prepared detailed drawings for custom components of the device. We were using those engineering materials to obtain quotations for fabrication and to evaluate how the components should be manufactured for purposes of producing and evaluating a physical prototype.

21. I have reviewed the engineering materials reproduced at pages 2 through 7 of Exhibit 2029. I recognize them as Boston Device engineering materials associated with the expandable implant design discussed in my May 18 email and transmitted in connection with that communication. They depict the implant and custom components in multiple views and include dimensions, tolerances, cross-sections, material specifications, and other information used for fabrication. The drawings are dated May 17, 2011 and identify them as files prepared for quotation.

22. As reflected in my May 18 email, we were then obtaining quotations for fabrication of the custom parts. Because some of the geometry would make conventional machining more expensive, I also asked Dr. Moskowitz and Andy whether we should consider producing the parts through selective laser sintering, or SLS, for purposes of prototype evaluation. My statements in the email concerning the engineering drawings, custom parts, quotations, and potential

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fabrication methods described work in which I was personally involved and accurately reflected the status of Boston Device's engineering and prototyping work at that time.

Exhibit 2030

23. I have reviewed Exhibit 2030, which is an email chain concerning the expandable implant design and prototype-development work. I was a participant in this exchange. I received Dr. Moskowitz's May 18, 2011 email, wrote and sent the May 19, 2011 response attributed to me, and received Andy Moskowitz's subsequent May 19 response. I recognize these communications based on the email addresses, dates, subject matter, contents of the messages, and the communications attributed to me. Exhibit 2030 is a true and accurate copy of the email exchange that I sent and received.

24. Dr. Moskowitz's May 18 email provided design input concerning the space within the implant for bone-graft material. I understood from his feedback that the small pockets then included in the design were not sufficient and that the implant should instead provide an opening through the device so that bone-graft material placed within the implant could contact the vertebral bodies above and below it. In response, I evaluated how to incorporate a larger through-hole into the wedge components while maintaining sufficient mechanical strength. My May 19

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email accurately reflected my understanding of Dr. Moskowitz's design input and the engineering work that I was undertaking in response to it.

25. I also received Andy Moskowitz's May 19 email providing further design input for the implant, including increasing the space available for bone graft, reducing certain overall dimensions, using the side indentations reflected in earlier design files, maintaining specified surgical angles and dimensions, and providing a bullet-shaped end. I understood these comments as additional design requirements to be considered as we continued refining the implant design for prototype development.

Exhibit 2031

26. I have reviewed Exhibit 2031. It begins with a May 23, 2011 email that I sent from my Boston Device email address to Andy Moskowitz and Dr. Nathan Moskowitz, copying David Schoon, with the subject line "Fusion Device." I recognize the email based on the email addresses, date, subject matter, contents of the message, and the engineering materials described in it. I wrote and sent that email. The email appearing at page 1 of Exhibit 2031 is a true and accurate copy of my May 23, 2011 email.

27. My May 23 email reported revisions that Boston Device had made to the expandable implant design in response to the design discussions described above. Among other things, we had added a large central opening to the upper and

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lower components for bone-graft material and had sought to maximize the size of that opening while maintaining the mechanical strength of the components. We had also further refined the dimensions of the implant, reduced the size of certain components to minimize its overall width, and incorporated the requested bullet-shaped and tapered features. These statements described engineering work in which I was personally involved and accurately reflected the status of the design at that time.

28. I have also reviewed the images reproduced at pages 2 and 3 of Exhibit 2031. I recognize them as depictions of the revised expandable implant design discussed in my May 23 email. One image depicts the implant in a lower-profile configuration, and the other depicts the same design with the upper portion raised relative to the lower portion. By May 23, we were continuing to refine this embodiment and preparing to move it into prototype fabrication, and I requested any additional modifications promptly so that the prototype-development work could proceed.

Exhibit 2032

29. I have reviewed Exhibit 2032, which is an email chain in which I participated between May 23 and May 25, 2011 concerning the expandable implant design. I sent and received the emails attributed to me in this chain and received the communications from Andy Moskowitz and Dr. Nathan Moskowitz that are

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addressed or copied to me. I recognize the communications based on the email addresses, dates, subject matter, contents of the messages, and the statements attributed to me. Exhibit 2032 is a true and accurate copy of the email communications I sent and received.

30. This exchange reflects continued engineering refinement of the expandable implant design as we worked toward prototype fabrication. During these communications, Andy provided additional design input concerning features including openings and indentations in the sides of the implant, the dimensions and geometry of the implant, the size and configuration of the screws, the taper and bullet-shaped end of the implant, and the angle of the bone screws. I received those communications as design input and evaluated how those requested features could be incorporated into the developing implant design.

31. My responses in Exhibit 2032 reflect engineering work that I was personally performing as part of that process. Among other things, I evaluated the appropriate screw size and head geometry, how the screw would rotate within the designed bore, the incorporation of side openings or indentations into the implant components, and the mechanical arrangement by which a retaining ring positioned one component while another component moved through actuation of the screw. My statements concerning those engineering issues accurately reflected the design work and engineering analysis I was performing at the time.

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Exhibit 2033

32. I have reviewed Exhibit 2033, which is an email exchange concerning continued work on the expandable implant design. I sent and received the emails attributed to me in this exchange. In particular, I wrote and sent the May 31, 2011 email to Dr. Nathan Moskowitz and Andy Moskowitz, copying David Schoon, with the subject line "updated models." I recognize these communications based on the email addresses, dates, subject matter, contents of the messages, and the communications attributed to me. Exhibit 2033 is a true and accurate copy of the email communications I sent and received.

33. By May 31, Boston Device was continuing to refine the expandable implant embodiment that was being prepared for prototype fabrication. In reviewing the preceding model, we identified structural and fabrication issues that needed to be addressed before proceeding. We modified the implant components to address those issues, and I then sent Dr. Moskowitz and Andy the updated model in both opened and closed configurations for their review and feedback. My May 31 email accurately reflected engineering work in which I was personally involved and the status of that work at the time.

34. I have also reviewed the images reproduced at pages 3 and 4 of Exhibit 2033. I recognize them as depictions of the updated expandable implant design discussed in my May 31 email, shown in different configurations. The

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design included upper and lower implant components, an internal expansion mechanism, and bone screws, and the images show the relative movement of the implant components between a lower-profile and an expanded configuration.

Exhibit 2036

35. I have reviewed Exhibit 2036, which is an email exchange between Dr. Nathan Moskowitz, Andy Moskowitz, and me concerning the expandable implant design and prototype fabrication. I sent and received the emails attributed to me in this exchange and received Dr. Moskowitz's June 2, 2011 response. I recognize these communications based on the email addresses, dates, subject matter, contents of the messages, and the communications attributed to me. Exhibit 2036 is a true and accurate copy of the email communications I sent and received.

36. By June 2, 2011, Boston Device was preparing the selected expandable implant design for prototype fabrication. As part of that work, I evaluated the dimensions and structural features of the design, including its overall length, the slope toward the anterior side of the implant, the position of the screw heads, and the relationship between the screw holes and the dovetail joint. I was concerned that reducing the implant's length could compromise the structural integrity of the design. My June 2 email accurately reflected the engineering analysis I was performing at that time.

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37. After receiving authorization to proceed with the prototype, Boston Device transmitted the engineering files for the expandable implant design to the prototype shop. I was personally involved in that work. When I wrote on June 3 that "we sent the files over to the prototype shop," that statement accurately reflected what Boston Device had done. I also received Dr. Moskowitz's suggestion that we consider reducing the length of the implant if that could be accomplished without compromising its structural integrity, and I sought confirmation whether we should proceed with the design that had already been transmitted.

Exhibit 2037

38. I have reviewed Exhibit 2037. It begins with a June 22, 2011 email that I sent from my Boston Device email address to Dr. Nathan Moskowitz and Andy Moskowitz, copying David Schoon, with the subject line "Prototype Pics." I recognize the email based on the email addresses, date, subject matter, contents of the message, and the photographs described in it. I wrote and sent that email. The email appearing at page 1 of Exhibit 2037 is a true and accurate copy of my June 22, 2011 email.

39. I have also reviewed the photographs reproduced at pages 2 through 7 of Exhibit 2037. I recognize them as photographs of the physical expandable lumbar fusion prototype that Boston Device had developed and caused to be

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fabricated as part of the project described above. These are the prototype photographs that I transmitted to Dr. Moskowitz and Andy with my June 22 email. The photographs show the physical prototype in different configurations and views, including configurations in which the upper and lower portions of the implant are positioned differently relative to one another.

40. Before sending the June 22 email, I had personally handled and evaluated the physical prototype. As part of that evaluation, I operated the prototype's expansion mechanism, including expanding and compressing the device, to evaluate qualitatively whether the mechanism functioned properly. The prototype successfully operated during that functional evaluation. When I wrote to Dr. Moskowitz and Andy that the prototype "works great," I was reporting the results of my own evaluation of the physical prototype and my observation that its expansion mechanism was functioning properly.

Exhibit 2039

41. I have reviewed Exhibit 2039, which is an email exchange between Dr. Nathan Moskowitz, Andy Moskowitz, and me concerning evaluation of the physical expandable implant prototype. I sent and received the emails attributed to me in this exchange and received Dr. Moskowitz's July 24, 2011 response. I recognize these communications based on the email addresses, dates, subject matter, contents of the messages, and the communications attributed to me.

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Exhibit 2039 is a true and accurate copy of the email communications I sent and received.

42. After the prototype had been delivered to Dr. Moskowitz and Andy, I contacted them to ask whether they had been able to evaluate it. Dr. Moskowitz responded that he needed an instrument capable of engaging the small screw interface in the prototype so that he could evaluate the expansion and collapse of the device. I understood his response as a request for a driver compatible with the M2 Allen feature used in the prototype.

43. Based on my knowledge of the prototype and its hardware, I identified commercially available drivers that I believed should work with that interface and provided Dr. Moskowitz with two specific McMaster-Carr part numbers. My July 25 email reflected my own engineering knowledge of the prototype and my judgment concerning tools that could be used to engage and operate it.

Exhibit 2052

44. I have reviewed Exhibit 2052, which is a September 25, 2012 email exchange between Andy Moskowitz and me with the subject line "flexispine web spots." I wrote and sent the email in which I asked whether Boston Device could feature the lumbar fusion device on its website, and I received Andy's response later that day. I recognize the exchange based on the email addresses, date, subject

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matter, contents of the messages, and the message attributed to me. Exhibit 2052 is a true and accurate copy of the email exchange that I sent and received.

45. The "lumbar fusion device" referenced in this exchange was the expandable lumbar fusion device on which Boston Device had performed the engineering and prototype-development work described above. I contacted Dr. Moskowitz and Andy because Boston Device was interested in displaying the device on its website as an example of our product-development work.

46. I understood Andy's response to mean that Flexispine did not authorize Boston Device to publish pictures of the expandable lumbar fusion device because a patent application for that device had not yet been filed. Consistent with that instruction, Boston Device did not publish pictures of the device on its website.

Exhibit 2156

47. I have reviewed Exhibit 2156. It begins with an April 15, 2011 email that I received from Andy Moskowitz with the subject line "RE: base 3 solids." I recognize the email based on the sender and recipient email addresses, date, subject matter, and contents of the message. The email identifies an attached ZIP file named "drawings4.zip." The first page of Exhibit 2156 is a true and accurate copy of the email that I received from Andy.

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48. As part of Boston Device's work on the expandable implant project, Andy provided me with existing Flexispine CAD and design materials for use as engineering inputs and references in our work. The materials provided by Andy included designs that Flexispine had developed before Boston Device began the 2011 expandable implant work described above. I did not create those pre-existing Flexispine designs; they were provided to me so that we could understand the existing designs and take relevant features into account as we developed and refined the new expandable implant designs.

49. I have reviewed the images reproduced at pages MOSKOWITZ-00084824 through MOSKOWITZ-00084833 of Exhibit 2156. I recognize those images as renderings from the Flexispine CAD materials contained in the "drawings4.zip" file that Andy sent to me with his April 15, 2011 email. The ZIP file contained multiple interrelated CAD files, including spinal implant components and surgical instruments associated with the implants. The images reproduced at pages MOSKOWITZ-00084824 through MOSKOWITZ-00084833 are representative renderings from those files; Exhibit 2156 does not reproduce every individual CAD file contained in the ZIP archive.

50. Andy's April 15 email also provided design input for the new implant-development work. In particular, I understood his comment concerning a more "bullet shaped" configuration as a request that we consider modifying the

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geometry of the developing implant to facilitate insertion. We considered that and other features of the earlier Flexispine designs as we continued the engineering work described above.

Exhibit 2057

51. I have reviewed Exhibit 2057. It includes an April 17, 2011 email that I sent from my Boston Device email address to Andy Moskowitz in response to the April 15 email discussed above. I recognize those emails based on the email addresses, dates, subject matter, contents of the messages, and the message attributed to me. The April 17 email attributed to me is an email that I wrote and sent, and the April 15 email from Andy is an email that I received. Those portions of Exhibit 2057 are true and accurate copies of the communications I sent and received.

52. In preparing my April 17 response, I had reviewed the Flexispine design materials that Andy had provided. As part of that review, I identified several engineering features that needed to be considered as we developed the new expandable implant design, including the geometry of the implant, retention and positioning of the height-adjusting screw, and whether to maintain what I described as "insertion tool engagement geometry, such as the side notches."

53. By "insertion tool engagement geometry," I was referring to features on the implant that permitted an insertion tool to engage the implant. Based on the

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design materials I had reviewed, I understood the side notches to serve that function. My April 17 question reflected my engineering understanding of those pre-existing Flexispine design features and my consideration of whether that tool-engagement geometry should be maintained as we developed the new expandable implant designs.

Exhibit 2058

54. I have reviewed Exhibit 2058, which contains the April 17, 2011 email exchange between Andy Moskowitz and me concerning the Flexispine design materials discussed above. I wrote and sent the April 17 email attributed to me and received Andy's response later that day. I recognize the exchange based on the email addresses, dates, subject matter, contents of the messages, and the communications attributed to me. Exhibit 2058 is a true and accurate copy of the email exchange that I sent and received.

55. As explained above, after reviewing the existing Flexispine design materials, I asked Andy whether the new expandable implant design needed to maintain what I described as "insertion tool engagement geometry, such as the side notches." By "insertion tool engagement geometry," I was referring to features on the implant that allowed an insertion tool to engage the implant.

56. I understood Andy's response to mean that the side notches could be omitted from an initial prototype if doing so would simplify prototype fabrication,

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but that it would be preferable to retain them in the final diagram unless they needed to be removed. I therefore did not understand his response as abandoning the side-notch tool-engagement feature.

Exhibit 2159

57. I have reviewed Exhibit 2159. It includes a May 27–28, 2011 email exchange between Dr. Nathan Moskowitz and me concerning an updated expandable implant design. I wrote and sent the May 27 email from my Boston Device email address to Dr. Moskowitz and Andy Moskowitz, copying David Schoon, and I received Dr. Moskowitz's May 28 response. I recognize the exchange based on the email addresses, dates, subject matter, contents of the messages, and the communication attributed to me. The May 27–28 email exchange included in Exhibit 2159 is a true and accurate copy of the email exchange that I sent and received.

58. My May 27 email concerned a revised e-drawing of the expandable implant embodiment that Boston Device was then preparing for prototype development. That drawing is included in Exhibit 2159 at MOSKOWITZ-00085186. I have reviewed that page and recognize it as a true and accurate copy of the revised e-drawing referenced in my May 27 email. At that point, we were seeking Dr. Moskowitz's and Andy's feedback on the overall proportions and geometry of the design while we continued resolving certain engineering

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interferences and fabrication details. Those remaining issues concerned further engineering and preparation of the design for fabrication; my email accurately reflected the status of the engineering work at that time.

59. In his May 28 response, Dr. Moskowitz emphasized that the ridges were important for bone integration and that the "inserts" were important for tool application. I understood his reference to the "inserts" to mean the side indentations or engagement features that we had previously discussed for engagement with an insertion tool. I understood Dr. Moskowitz's response as emphasizing that those features were important design considerations as we continued refining the implant design and as communicating that those features should be present in the prototype we were discussing.

Exhibit 2060

60. I have reviewed Exhibit 2060, which is a July 6, 2011 email that I sent from my Boston Device email address to Dr. Nathan Moskowitz and Andy Moskowitz with the subject line "prototype shipment." I recognize the email based on the email addresses, date, subject matter, and contents of the message. I wrote and sent that email, and Exhibit 2060 is a true and accurate copy of my July 6 email.

61. The prototype referenced in my email was the physical expandable lumbar fusion prototype described above. On July 6, 2011, Boston Device sent the

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prototype to Dr. Moskowitz and Andy so that they could further evaluate and test it. I was personally involved in arranging that shipment, and my July 6 email accurately reflected the shipment and its purpose.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on August 31, 2026.

Signed by:
Eric Sugalski
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Eric Sugalski