

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT CHATTANOOGA**

**HOLLEY PERFORMANCE
PRODUCTS INC.**

Plaintiff and Counter-Defendant,
v.

ACES FUEL INJECTION, INC.

Defendant and Counter-Plaintiff.

Case No. 1:26-cv-00059-CEA-CHS

**HOLLEY PERFORMANCE PRODUCTS INC.’S FIRST
REQUESTS FOR DOCUMENTS TO ACES FUEL INJECTION
INC. (NOS. 1-11)**

Pursuant to Fed. R. Civ. P. 34, Plaintiff/Counter-Defendant Holley Performance Products Inc. (“Holley”) submits these document requests to Defendant/Counter-Plaintiff Aces Fuel Injection, Inc. (“Aces”). Aces must produce the following documents within 30 days from the date of receipt of these requests.

DEFINITION OF TERMS

The following definitions apply to each paragraph of these requests and are deemed to be incorporated therein:

1. “Complaint” means the Complaint filed by Holley in the above-captioned case and any amendments permitted thereto.
2. “Litigation” means this action styled as *Holley Performance Products Inc. v. Aces Fuel Injection, Inc.*, No. 1:26-cv-00059-CEA-CHS, filed in the Eastern District of Tennessee.

3. “You,” “Your,” “Aces,” and “Defendant” shall mean Aces Fuel Injection, Inc., the defendant in this action, and: (a) any and all of Aces’s parents, subsidiaries, divisions, departments, organizational and/or operating units, affiliated corporations, and any other related entities of Aces; (b) all predecessor and successor companies and/or corporations; (c) all assigns of any of the foregoing entities; (d) all companies, corporations, partnerships, associations, and other business entities which are or have been under common ownership or control, in any manner, with Aces; (e) each of the present and former officers, directors, managers, employees, agents, consultants, attorneys, and accountants who are subject to Aces’ actual or constructive control, and any other representatives of any of the foregoing entities; (f) any company and/or entity that has invested in or otherwise provided funds to Aces, other than as payment for goods or services; and (g) all other persons and entities directly or indirectly acting or purporting to act on behalf, or under the actual or constructive control, of Aces.

4. “Holley” or “Plaintiff” shall mean Holley Performance Products Inc. including any predecessors or acquired entities.

5. “Asserted Patents” means U.S. Patent No. 11,118,515 (the “’515 Patent”); U.S. Patent No. 11,333,083 (the “’083 Patent”); U.S. Patent No. 11,409,894 (the “’894 Patent”); and U.S. Patent No. 12,203,434 (the “’434 Patent”).

6. “Asserted Claims” means any claim of the Asserted Patents that Plaintiff contends is infringed by any Accused Instrumentality.

7. “Accused Instrumentality” or “Accused Product” means each of Defendant’s products and/or devices that Plaintiff contends infringes at least one of the Asserted Patents, including but not limited to the following: the Killshot series including the Killshot Fusion, Killshot Fusion Lite, and Killshot 2 Pro, Killshot, the Royal Flush series, and Deuces Wild series.

8. “Third party” means and includes any person(s) or entity(ies) other than Plaintiff and Defendant.

9. “‘475 Patent” means U.S. Patent No. 7,735,475, titled *Fuel injection body sized to replace carburetor body*.

10. “Holley Manual” means Holley’s Terminator X and Terminator X Max MPFI Fuel Injection System Installation & Tuning Manual, including versions or revisions thereof.

11. “Joker Manual” means The Joker Installation and Tuning Manual, including all drafts, versions, and revisions thereof.

12. “Person(s)” shall mean: (a) natural persons (also referred to as “individuals”); (b) business or legal entities, including, without limitation, corporations, partnerships, joint ventures, firms, associations, professional corporations, and proprietorships; and (c) governmental bodies or agencies.

13. “Representative,” when used to refer to the representative of a corporation or other business or legal entity, shall mean its present and former officers, directors, managers, employees, agents, consultants, attorneys, accountants, and anyone acting or purporting to act on its behalf. “Representative,” when used to refer to the representative of a natural person, shall mean that person’s present and former employees, agents, consultants, attorneys, accountants, and anyone acting or purporting to act on said person’s behalf.

14. “Electronically stored information” and “ESI” mean information of any kind stored, created, transmitted, received, maintained, or accessible through electronic, digital, cloud-based, networked, mobile, or other technological means, including without limitation: email; text messages; instant messages; chats; direct messages; social media messages; collaboration-platform content; shared workspaces; cloud storage repositories; cloud-hosted applications; web-

based portals; file-sharing systems; accounting, financial, distribution, manufacturing, customer-management, source-code, design, engineering, analytics, or other business systems; websites and web pages; calendars; contact lists; voicemail; audio, video, images, screenshots, and recordings; spreadsheets and underlying formulas; databases; structured and unstructured data; logs; audit trails; metadata; embedded data; version history; comments; tracked changes; deleted, archived, erased, fragmented, damaged, or residual data; and any information stored on, synchronized with, backed up to, or accessible from computers, servers, laptops, tablets, smartphones, wearable devices, removable media, external drives, USB drives, network drives, backup systems, cloud-based backup or disaster-recovery systems, or any other electronic device, system, platform, application, service, repository, or medium.

15. “Document” is used in the most comprehensive and inclusive sense permitted by Rule 34 of the Federal Rules of Civil Procedure, and shall include, but is not limited to, all information in your actual or constructive possession, custody or control, including, but not limited to, letters, telegrams, facsimile or telefax transmissions, memoranda, reports, studies, calendar or diary entries, books, photographs, drawings, maps, pamphlets, notes, charts, tabulations, analyses, statistical or information accumulations, accounting records of any kind, records of meetings and conversations of any kind, movie films, magnetic tapes, discs, sound or mechanical reproductions, and further includes copies which are not identical duplicates of the original of each document by reason, for example, of the fact that handwritten or blind notes appear thereon, are attached thereto, or otherwise are incorporated by reference, and regardless of whether the original of each of the documents is in you possession, custody or control.

16. “Thing” or “things” is used in the most comprehensive and inclusive sense permitted by Rule 34 of the Federal Rules of Civil Procedure, and shall include, 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.

17. “Communication” and “communications” shall mean any transmission, exchange, or conveyance of information by any means, whether oral, written, electronic, digital, or otherwise, including, without limitation, telephone conversations, in-person or face-to-face conversations, letters, memoranda, telegrams, teletypes, telexes, telecopies, facsimiles, voicemail, email, text messages, SMS messages, MMS messages, instant messages, chat messages, direct messages, private messages, social media messages, messages sent through mobile applications or web-based platforms, communications through collaboration or messaging platforms including Microsoft Teams, Slack, Zoom, Google Chat, Discord, WhatsApp, Signal, Telegram, iMessage, Facebook Messenger, Instagram, LinkedIn, or similar platforms, comments or replies in cloud-based documents or shared workspaces, computer linkups, wireless transmissions, video-conference communications, and any other written, oral, electronic, digital, cloud-based, or recorded exchange of information.

18. “Agreement” shall mean any contract, undertaking, promise, covenant, arrangement, understanding, or other agreement of whatever kind or nature whatsoever, whether written or oral, including all supplements and additions, changes, amendments, and modifications thereto, and all cancellations, revocations, rescissions, and terminations thereof.

19. “USPTO” shall mean the United States Patent and Trademark Office.

20. “Concern,” “concerning,” “refer,” “referring,” “regarding,” “relate,” and “relating” shall mean, without limitation, directly or indirectly and in whole or in part, pertaining to, mentioning, commenting on, connected with, describing, analyzing, explaining, showing,

reflecting, identifying, setting forth, dealing with, embodying, comprising, consisting of, containing, constituting, resulting from, recording, identifying, discussing, assessing, stating, evidencing, supporting, rebutting, or in any way relevant to the particular subject matter identified.

21. The use of a verb in any tense shall be construed as use in all other tenses.

22. “And,” “or,” and “any” are intended to be construed as necessary to bring within the scope of these requests any information which otherwise might be construed to be outside of the scope of any of them.

23. “Identify” or “Identity” means (1) when referring to a person, the person’s full name, present or last known address and telephone number, and the last known title and place of employment; (2) when referring to non-patent Documents, the production number or type of document, its general nature and subject matter, date of creation, and all author(s), addresses(s), and recipient(s); (3) when referring to patent Documents, the country, patent and/or application number, dates of filing, publications, and grant, and the names of patentees or applicants; and (4) when referring to a source or thing, sufficient information to identify the location, ownership, and nature of such source or thing.

24. “Describe,” when used in relation to an act, event, instance, occasion, transaction, conversation, or communication, means (a) to state the date and place thereof; (b) to identify the individual participants; (c) to summarize separately for each individual participant what he or she said or did; and (d) to identify each document used or prepared in connection therewith or making any reference thereto.

25. The singular is to be construed as including the plural and vice versa.

26. “Make,” “use,” “offer for sale,” “sell,” and “import” each assume the broadest meaning given those terms under 35 U.S.C. § 154 and 35 U.S.C. § 271(a). As used herein, these

terms include, but are not limited to, any making or manufacturing, using, selling, or importing for experimental purposes. As used herein, “make” includes, but is not limited to, the manufacture of parts, components, elements, or other items for assembly or use by third parties.

27. “Prior art” shall mean all things, patents, publications, disclosures, sales, or other acts or occurrences included within the broadest meaning of 35 U.S.C. § 102 (or any subpart thereof) and 35 U.S.C. § 103.

INSTRUCTIONS

1. In answering and responding to these requests, you are requested to furnish all information available to Aces, its attorneys, accountants, investigators, representatives, agents, and any other person acting on Aces’ behalf and not merely such information as is known by your own personal knowledge. If you cannot answer or respond in full after exercising due diligence to secure the information, answer or respond to the extent possible, specifying the reason or reasons for your inability to answer or respond to the remainder.

2. In answering or responding to these requests, identify each and every person who supplied factual information given in the answer or response to each request.

3. If, because of a claim of privilege or other protection, you do not answer or respond to any request or subpart thereof, or you withhold any document or thing, set forth the privilege or protection claimed, the facts upon which you rely to support the claim of privilege or protection, and furnish a list identifying each document and thing for which the privilege or protection is claimed, together with the following additional information:

a) A brief description of the nature and subject matter of the document or thing, including the title, type of document (i.e., whether it is a letter, memorandum, drawing, etc.) or

thing, the number of pages, attachments or appendices to the document, and all serial or identification numbers appearing on the document;

- b) The document's date or the thing's date of creation;
- c) The identity of the author(s) or creator(s);
- d) The identity of the person(s) to whom the document is addressed or to whom the thing has been provided, including all persons who received copies, photographs, or other representations of the document or thing;
- e) The identity of the person(s) to whom the document or thing was sent;
- f) The identity of the present custodian of the document or thing;
- g) The current location of the document or thing;
- h) For each withheld document, its number of pages; and
- i) The request or subpart to which the document, withheld information, or other thing is otherwise responsive.

4. Any recipient of these requests who objects to any portion or subpart of these requests shall state the objection to such portion or subpart, and shall answer any unobjectionable portion(s) or subpart(s) and/or provide the unobjectionable information requested.

5. These requests are to be considered as continuing, and Aces must provide, by way of supplementary answers, such additional information as you or any other person(s) acting on its behalf may hereafter obtain which will supplement or otherwise modify any answers to these requests.

DOCUMENT REQUESTS

DOCUMENT REQUEST NO. 1: All Documents and Things that refer or relate to any license, assignment, transfer, acquisition, or other agreement involving the '475 Patent, including, without limitation, the Patent Acquisition & License Agreement dated October 31, 2022 referenced in the Declaration of Kenneth W. Farrell in support of Aces' petition for inter partes review of the '894 and '434 Patents.

DOCUMENT REQUEST NO. 2: All Documents and Things that relate or refer to any communication or discussion with Kenneth W. Farrell, including without limitation, all communication and negotiations regarding the '475 Patent, the Declaration of Kenneth W. Farrell, any agreements involving the '475 Patent, and any of the Asserted Patents.

DOCUMENT REQUEST NO. 3: All Documents and Things that relate or refer to Retrotek Speed, Professional Products, Wald Industries, Quick Fuel Technologies, FiTech EFI, Fuel Injection Technology Inc., Kenneth W. Farrell, Brian Wald, Warrant Lamont Duff, or the '475 Patent, including but not limited to, any investigation regarding any alleged infringement, enforceability, or validity of the '475 Patent.

DOCUMENT REQUEST NO. 4: All Documents and Things that relate or refer to payments to or from Kenneth W. Farrell or any entity related to Kenneth W. Farrell.

DOCUMENT REQUEST NO. 5: All Documents and Things that refer or relate to any payments, royalties, fees, compensations, or other financial benefits paid or promised in connection with Aces' acquisition of the '475 Patent.

DOCUMENT REQUEST NO. 6: All Documents and Things that relate or refer to any use disclosure, sale or transfer, or offer to sell or transfer the invention claimed in the '475 Patent prior to the filing date of the '475 Patent.

DOCUMENT REQUEST NO. 7: All Documents and Things evidencing the conception and first reduction to practice of the claimed invention in the '475 Patent created on or before the filing date of the '475 Patent.

DOCUMENT REQUEST NO. 8: All Documents and Things that relate or refer to Holley or Holley products, including but not limited to Holley Fuel Injection products, manuals, drawings, in the possession of Aces.

DOCUMENT REQUEST NO. 9: All Documents that refer or relate to the creation, drafting, development, editing, revision, preparation, or publication of The Joker Installation and Tuning Manual, including without limitation all drafts, prior versions, source material, reference material, and Documents used or consulted in preparing the manual.

DOCUMENT REQUEST NO. 10: All Documents that refer or relate to Aces' possession of, access to, review of, or reference to Holley's Terminator X and Terminator X Max MPFI Fuel Injection System Installation & Tuning Manual in connection with the creation, drafting, development, revision, or publication of The Joker Installation and Tuning Manual.

DOCUMENT REQUEST NO. 11: All Documents that refer or relate to EFI systems that intended to replace carburetors known to You on or before the date of application for the '475 Patent, including all physicals and specimens of such systems.

Respectfully submitted,

/s/ Marc Lorelli
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CERTIFICATE OF SERVICE

I certify that I served:

**HOLLEY PERFORMANCE PRODUCTS INC.'S FIRST REQUESTS FOR DOCUMENTS
TO ACES FUEL INJECTION INC. (NOS. 1-11)**

on August 19, 2026 by:

X via email: jjackson@chamblisslaw.com; slodico@chamblisslaw.com;
Pnewman@chamblisslaw.com

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