

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SIMPSON STRONG-TIE COMPANY, INC.
Petitioner.

vs.

COLUMBIA INSURANCE COMPANY.
Patent Owner.

Case PGR2024-00050.
Patent No. 11,920,399

DEPOSITION OF RYAN HOLMES

TAKEN ON BEHALF OF THE PETITIONER

JULY 22nd, 2025

(Starting time of the deposition: 9:15 a.m.)

Simpson Strong-Tie Company EX1050
Simpson v. Columbia
PGR2024-00050

I N D E X

QUESTIONS BY:

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E X H I B I T S

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(Exhibit retained by Michelle K. Holoubek, Esq.)

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15 DEPOSITION OF RYAN HOLMES produced, sworn and examined
16 on JULY 22nd, 2025, between the hours of nine o'clock in the
17 forenoon and six o'clock in the evening of that day, at the
18 offices of Stinson, LLP, 7700 Forsyth Boulevard, Suite 1100, St.
19 Louis, Missouri 63105 on behalf of the Petitioner, before Paula
20 D. Hefner, a Certified Shorthand Reporter, Certified Court
21 Reporter, Registered Merit Reporter, Certified Real-Time
22 Reporter, and a Notary Public within and for the State of
23 Missouri, and the following proceedings were held:

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1 IT IS HEREBY STIPULATED AND AGREED by and between
2 counsel for the Petitioner and counsel for the Patent Owner that
3 this deposition may be taken in shorthand by PAULA D. HEFNER, a
4 Certified Shorthand Reporter, Certified Court Reporter,
5 Registered Merit Reporter, Certified Real-Time Reporter, and a
6 Notary Public, and afterwards transcribed into typewriting; and
7 the signature of the witness is expressly reserved.

8
9 * * * * *

10
11 (Starting time of the deposition: 9:15 a.m.)
12

13 COURT REPORTER: Would you raise your
14 right hand, please?

15 Do you swear that the testimony you give will be the
16 truth, the whole truth, and nothing but the truth so help you
17 God?

18 THE WITNESS: Yes.

19 COURT REPORTER: Thank you.
20

21 EXAMINATION

22 QUESTIONS BY MS. HOLOUBEK:

23 Q. Good morning. My name is Michelle Holoubek, and I
24 will be taking your deposition today.

25 Can you please state your full name and address for

1 the record?

2 A. Ryan Thomas Holmes. My home address is 23518 Bell
3 Bluff Truck Trail, Alpine, California 91901.

4 (Discussion was had off the record.)

5 Q. Thank you, Mr. Holmes. You understand you are here
6 today to have your deposition taken in connection with the
7 testimony that you provided in a Post-Grant Review Proceeding
8 challenging US Patent No. 11,920,339.

9 Is that correct?

10 A. Yes, ma'am.

11 Q. And I'm going to refer to the challenge patent using
12 the last three digits of the patent number, so I'll refer to it
13 as the 339 patent if we talk about it.

14 Is that okay?

15 A. Yes, ma'am.

16 Q. So just a couple of ground rules, especially to help
17 out our Court reporter. It's important that we don't speak over
18 each other; so please wait until the question is complete before
19 answering. And then also please make sure your answers are
20 verbal as she cannot capture head nods or hand motions.

21 A. Yes, ma'am.

22 Q. Will you tell me if you don't understand my question?

23 A. Yes, ma'am.

24 Q. Okay. If you don't ask for clarification I will
25 assume that you understood my question.

1 Is that okay?

2 A. Yes, ma'am.

3 Q. Okay. Is there any reason that you cannot testify
4 truthfully today?

5 A. No, ma'am.

6 Q. Are you under any medication that may impair your
7 testimony in any way today?

8 A. No, ma'am.

9 Q. I will take periodic breaks, and please let me know if
10 you need a break. But, we can't take a break while the question
11 is pending so you have to fully answer any question before we
12 take a break.

13 A. You don't want me to run out the door and come up with
14 a new answer?

15 Q. Preferably not.

16 A. I understand.

17 Q. And then you understand that you are under oath and
18 that means you're required to tell the whole truth today.

19 Is that correct?

20 A. I'm a big fan of that idea.

21 Q. Excellent. So getting into some deposition questions:
22 Have you ever been deposed before?

23 A. Yes, ma'am.

24 Q. How many times?

25 A. More than five.

1 Our businesses were engaged in a lot of production
2 homes during the construction defect era. So there was a number
3 of those kind of cases.

4 Q. Okay. What time frame was that over?

5 A. Between probably 1998 and 2007.

6 Q. Okay. And have you been deposed since 2007 before
7 this case?

8 A. Not that I recall.

9 Q. Okay. What did you do to prepare for today's
10 deposition?

11 MR. SCHROEDER: I want to just object to the
12 extent this calls for privileged communications.

13 You may answer, though; just do not share any
14 communications that we've had.

15 THE WITNESS: Fair.

16 A. I did a little bit of research on some of the work
17 we've done. I studied a little bit about the subject matter.

18 Q. (By Ms. Holoubek) Did you review any documents to
19 prepare for today's deposition?

20 A. Purchase orders and things, some construction
21 documents from some of the projects.

22 Q. Okay. I'm going to go ahead and hand you what's been
23 previously marked as Exhibit 2058.

24 Do you recognize this document?

25 A. I was going to say it's a few pages short.

1 Q. It's double-sided.

2 A. I do.

3 Q. Okay. And is this the declaration that you prepared
4 for this case, PGR 2024-000500?

5 A. Yes, ma'am.

6 Q. And if you turn to the last page is that your
7 signature on the back?

8 A. It is.

9 Q. And you executed this document the 23rd day of May,
10 2025.

11 Is that correct?

12 A. Yes, ma'am.

13 Q. Okay. You mentioned a second ago that you reviewed
14 purchase orders and the like. Were those documents utilized in
15 the preparation of this declaration?

16 A. Not initially, no. They were relative to the project
17 that you see described here in this photo. And so I was just
18 trying to get my mind refreshed; that was 2017, a little while
19 ago, a lot of buildings ago.

20 Q. Okay. So that's the project that's referenced in
21 Paragraph 13? That's the fifty thousand square foot two story
22 senior center.

23 A. Yes, ma'am.

24 Q. Okay. Did you review any other documents to prepare
25 for today's deposition?

1 A. Yeah. I reviewed some fire code. Reviewed -- I had
2 some information about different people who might be involved so
3 I studied, you know, who I might be meeting.

4 Mostly that kind of stuff, I guess.

5 Q. Okay. And did you meet with counsel to prepare for
6 today's deposition?

7 A. We did.

8 Q. And who did you meet with?

9 A. John and Scott.

10 Q. Okay. And for about how long did you meet to prepare
11 for today's deposition?

12 A. It was two hours, something like that.

13 Q. Okay. Did you speak with anyone else to prepare for
14 today's deposition?

15 A. Not that I can think of.

16 Q. Okay. Have you reviewed any other documents other
17 than the ones you've already mentioned to prepare for today's
18 deposition?

19 A. Not that I can think of.

20 Q. Okay. And then how about for preparing the
21 declaration? So back in May when you prepared the declaration
22 do you recall what documents you reviewed to prepare your
23 declaration?

24 A. A lot of it was from memory. And then I went to the
25 job folders for this particular job -- we have a good archive --

1 and pulled up some of the stuff and wrote an email.

2 Q. Okay. Did you review the 339 patent at all for your
3 declaration here?

4 A. No.

5 Q. Have you seen the 339 patent?

6 A. I have not. I've seen some documents. But, not a fan
7 of patents per se.

8 Q. We won't get into that in this one as to why.

9 A. Okay. Good.

10 Q. What other -- you said you've seen some documents.
11 What kind of documents did you see?

12 A. There's a -- I don't know the official names of
13 things. There's a -- there were some things that popped up in
14 my Google searches that were related to this, but I don't know
15 the names of all of them.

16 Q. When you say related to this do you mean the PGR
17 proceeding?

18 A. Yeah, yeah.

19 Q. Okay.

20 A. I had -- need to understand a little bit about what
21 I'm walking into, right.

22 Q. Understood.

23 A. And so there was some documents showed up -- there was
24 something called scheduling -- and they look very similar to
25 this format, right.

1 Q. Did you -- was one of them, by any chance, called the
2 Petition? Do you recall seeing something called a Petition?

3 A. I don't think that was one of them.

4 Q. Okay. Did you write your declaration or was your
5 declaration written for you?

6 A. I wrote it. It obviously didn't look exactly like
7 this when I wrote it.

8 Q. But, does the document you signed here reflect what
9 you originally wrote?

10 A. Yes.

11 Q. Okay. At this time do you have any corrections such
12 as additions or deletions to be made to this declaration?

13 A. Not that I can think of.

14 Q. Okay. And have you worked on any other Post-Grant
15 Proceedings at the patent office?

16 A. No, ma'am.

17 Q. So turning to your declaration in Paragraph 1 you
18 mention that you are currently the President of Accel Framing.

19 Am I pronouncing that correctly?

20 A. Yes, ma'am.

21 Q. Is Accel Framing a company?

22 A. Yes, ma'am.

23 Q. So what type of services does Accel Framing provide?

24 A. We provide general contracting services and rough
25 carpentry services.

1 Q. Okay. Can you describe the difference between those
2 two services?

3 A. Sure. So rough carpentry is what it sounds like,
4 right. It's timber and nails and siding and beams and posts and
5 trusses and hangers.

6 And we service three markets: Large scale remodel --
7 so we don't do like kitchen and bath -- custom homes, and then
8 what we refer to as multifamily.

9 And then in general contracting we service the same
10 markets, but in those scenarios the customers come to us and say
11 can you do it all, and we say yes.

12 Q. So you've been President of Accel Framing for the past
13 eighteen years.

14 Is that correct?

15 A. Yes, ma'am.

16 Q. Have you served in other positions with Accel Framing?

17 A. Yes, ma'am. When you found a company you wear all the
18 hats.

19 Q. Okay. So you're one of the founders of the company?

20 A. I am the founder, yes, ma'am.

21 Q. Oh, you are the founder. Fantastic.

22 A. Yes, ma'am.

23 Q. And so have you -- if you've been in that role for the
24 past eighteen years does that mean Accel Framing is about
25 eighteen years old?

1 A. That would be a fair guess, yes, ma'am. June of 2007
2 I started writing it.

3 Q. Okay. And then in Paragraph 2 you mentioned that you
4 worked twelve years as a General Manager at HNR Framing Systems.
5 Is that correct?

6 A. Yes, ma'am.

7 Q. Was that your immediately prior position before you
8 founded Accel?

9 A. There's a -- an additional amount of stuff there
10 that's mentioned.

11 The company that bought HNR -- Building Materials
12 Holding Company -- we re-branded it as SelectBuild and I was a
13 vice president for them for eighteen months, I think. And then
14 I resigned from that position, waited for my contract to expire,
15 started writing Accel.

16 Q. Okay. So what type of services does HNR Framing
17 Systems provide?

18 A. We were a rough carpentry contractor and we eventually
19 built scaffolding business, window business, manufacturing for
20 roofs, trusses, floor trusses, and eventually wall panels. And
21 then we had a large customer service entity that was an
22 additional element of business. So we offered quite a bit of
23 variety of services to production builders.

24 Q. Okay. And was SelectBuild the same type of business?

25 A. Yes and no. So their vision was to provide integrated

1 construction services model to the large national builders in
2 all of the largest markets in the United States. So they had
3 acquired eighty-four different business units, and it was
4 plumbing and concrete and -- they wanted to be able to stand toe
5 to toe with the KD Home and the Lennar and the Syntec and offer
6 a variety of structural packages such that the client could
7 finish those up and turn them over to a customer.

8 Q. Okay. So when you said integrated services --

9 A. Integrated construction service.

10 Q. That's just anything that could be done --

11 A. It was generally around a shell, right. So imagine --
12 like the halfway point in construction for most residential
13 light wood type buildings is drywall. So right up to drywall,
14 right. So we took foundations through drywall in varying
15 packages and varying markets across the country.

16 So there were business units in Florida. They had
17 eighty-four business units. And so we were acquired in -- that
18 business transaction closed in October of '05.

19 Q. Okay. And for, when you were with HNR was that
20 located here in -- was that located in southern California?

21 A. Yes, ma'am.

22 Q. I'm sorry. Okay.

23 So you're familiar with the California Building Code?

24 A. Yes, ma'am.

25 Q. Okay. Turning to Paragraph 4 you mention that you

1 have experience in Type III construction requiring fire
2 barriers.

3 What is Type III construction?

4 A. It's a -- I guess it's a way of assessing a certain
5 set of variables to a construction method. It tends to have a
6 height limit, right, so it's up to a certain height. They are
7 wood framed in nature. And then it's a way of assessing fire
8 rated values to the external systems versus internal systems,
9 right.

10 We're not big fans of Type III, by the way. Most of
11 what we do is Type V-A sprinkle.

12 Q. What's the difference between those two?

13 A. Generally speaking it's fire rated timber, right. So
14 it's protracted to lathes and expense related to that type of
15 two hour versus one hour exteriors, and how that affects the
16 interplay between the floors and the walls and the roofs.

17 Q. Okay. So in Type V-A you use fire rated timber?

18 A. We do not.

19 Q. You do not?

20 A. Not on purpose. You'll use it for backers and utility
21 closets and things like that.

22 Q. Okay.

23 A. But, it's in -- in III-A stuff you're going to have a
24 lot of fire rated timber.

25 Q. Okay. Does that mean that the timber itself has been

1 treated?

2 A. Soaked and saturated. And in California you are not
3 allowed to do that within the boundaries of the state. So the
4 material gets shipped to us, they select it, we ship it back to
5 the Pacific northwest, they fire treat it and ship it back to
6 us. Yee-haw.

7 Q. So how often have you dealt with Type III
8 construction?

9 A. More times than I would like to remember.

10 Q. Do you have an approximation? A dozen times? Five
11 times?

12 A. Many more than that, right.

13 And, again, as I mentioned here there was a period
14 about 2003 where at HNR we were producing about three thousand
15 living units a year between single family and multifamily. So
16 it's thousands and thousands and thousands of buildings, right.

17 And so how many of those were Type III I don't know.
18 A bunch of them. It would be difficult for me to give you a
19 number.

20 Q. Okay.

21 A. But, I can tell you none of us like them.

22 Q. You don't like them because of the requirement to have
23 to ship the wood out and bring it back or just --

24 A. My job is to provide our clients with an economic
25 response to their need. And there's very few versions of Type

1 III that meet that, right.

2 And if you sat in the sales meetings in my offices for
3 the last two years you would hear our team regularly say that
4 project is delayed because of finance, that project is delayed
5 because of finance, that project is delayed.

6 So any time someone comes up with a Type III model we
7 go whoo, can we help you solve this another way.

8 Q. Interesting. So you said it's a more expensive type
9 of construction?

10 A. Almost always, yes.

11 Q. You mentioned that Type III construction has a height
12 limit. Do you know what that height limit is?

13 A. I don't know the exact numbers because I don't do the
14 zonings and those types of things.

15 But, it's something like -- so rarely do we do a
16 building that's over ninety feet.

17 Q. Okay. In Paragraph 4 you refer to the fire barriers
18 and fire rated assemblies. Is there a difference between a fire
19 barrier and a fire rated assembly?

20 A. In the way I'm phrasing what I said there yes. There
21 will be area separations, and then within those area separations
22 there are various assemblies, right.

23 So in the same way that a wall is an amalgamation or
24 an assembly of sub-assemblies and individual components that
25 make up a system, right.

1 So not like you think of a barrier that's in that
2 driveway down the building across the street. That's not quite
3 the same thing, right.

4 Q. So barrier is kind of the full completed product and
5 an assembly are the pieces that make up the barrier?

6 A. Right. You might think of it -- and the way I think
7 of it is you might think of it as the separation between the
8 parking garage that's maybe Type I-A on top of which sits a
9 bunch of Type V-A -- hopefully -- you know, residential use
10 above, right. And then barriers in between are just made of a
11 number of different assemblies in order to achieve that -- and
12 fire dampers, right.

13 So we're kind of going to the universe to the solar
14 system to the planet.

15 Q. Makes sense. My background is astrophysics, so that's
16 a good analogy.

17 A. Okay. Good.

18 Q. At the end of Paragraph 4 you refer to buildings that
19 include fire rated assemblies of this nature.

20 What did you mean by the phrase of this nature?

21 A. Well, when we were talking about -- in context of the
22 whole response or opinion we're talking about methodologies to
23 deal with fire rated assemblies.

24 So this nature being of Type III, of Type V-A, right.

25 Q. So if you worked with Type III but you prefer Type

1 V-A, so why did you talk about Type III here in this particular
2 declaration?

3 A. I think it was part of the original question posed.

4 Q. Okay. I guess how long have you worked with fire
5 rated wall assemblies in general?

6 A. I started in the trade when I was thirteen years old
7 and I never left.

8 Q. Okay. And were you working with fire rated assemblies
9 that early on?

10 A. Unknowingly, yeah. The very first project I worked on
11 was an apartment job, and I was a laborer dragging siding around
12 and there were fire rated assemblies there.

13 I had no idea that's what they were, right.

14 Q. I don't mean to pry, but around what year was that?

15 A. So I was born in '70, in October.

16 Q. So mid-eighties?

17 A. Yeah.

18 Q. Okay. How long has the fire code required fire rated
19 assemblies?

20 A. That I couldn't tell you.

21 I know that's it's changed radically for us in San
22 Diego in particular relative to the '03 and '07 fires. So there
23 were massive changes to our fire code after that, right.

24 Q. Were there massive changes both in '03 and '07 or
25 later than that?

1 A. No. It was relative to about '08 and '09. And it
2 took --

3 Q. Okay.

4 A. It took a number of measures by a number of officials,
5 some of which are my friends, to take what they experienced --
6 both things that worked and things that didn't work -- and make
7 significant changes.

8 So in residential construction, for example, now in
9 San Diego one pane in the glass of all the windows has to be
10 tempered, right, because they found that the fire develops its
11 own wind system and then it throws big chunks of burning stuff
12 at houses. And so they wanted a way to prevent the windows from
13 failing so that the draperies wouldn't catch fire.

14 And there are so many components of that, right. Burn
15 rates of pieces of trim and what was now going to be allowed on
16 the exteriors of buildings, right. Massive changes.

17 A lot of cool video that went with it. Hey, look,
18 this is what happens when you light that on fire.

19 Q. I bet. How long has the fire code required two layers
20 of five-eighths inch thick gypsum wall board?

21 A. Well, I said two hour assembly, right, and I couldn't
22 tell you when that started.

23 I can tell you when we started having to do, right.
24 And you gleefully celebrate when you had a building that didn't
25 have a two hour wall because it's not just two layers of

1 drywall, there is a whole lot of other stuff that has to happen.
2 And so getting to build a V-A building where it's one layer
3 building sprinkled, boy, that's a whole lot simpler. Right.

4 So I can't tell you the history of when it started.

5 Q. Okay. Well, you mentioned you did know sort of when
6 you started working with the two hour -- I'm sorry, when you
7 started working with a two layers of five-eighths inch thick
8 gypsum wall board.

9 About how long have you been working with that kind of
10 assembly?

11 A. So the question might be when did I first see two
12 layers of drywall being applied?

13 Q. Yes.

14 A. Boy, that I can recall immediately probably 1994.

15 Q. Okay. And you mentioned that in these two hour wall
16 assemblies it's not just drywall.

17 What else goes into the assemblies?

18 A. So there's -- there will be connections amongst
19 structural members of the building that you can't get the
20 drywall to wrap, right.

21 Q. What do you mean by that?

22 A. Well, so generally speaking you have bearing, right.
23 So you're going to transfer a horizontal load for gravity to a
24 vertical member. You can't get drywall between them because the
25 drywall won't stand up to the point load, right; it kind of

1 comes squirting out, right. And so then you have to do stuff
2 with those types of things, right. There has to be certain
3 sizes of timbers for certain burn durations.

4 And that comes back to the UL Labs testings and what
5 are the -- used to be ICO numbers, you know, and then they
6 gradually changed the name of things and now they call them ESR
7 reports, right, because good enough can't be left well enough
8 alone, right.

9 And so you have a number of like -- where two walls
10 come together is often referred to as a channel. And so when
11 you get to a two hour assembly there will be heavy timber
12 placement within the channel because the drywall can't wrap the
13 whole thing, right.

14 If you have vertical post members supporting more than
15 two floors in those types of construction you'll have to wrap
16 those posts with either intumescent paint or drywall.

17 THE REPORTER: I'm sorry, what kind of paint?

18 THE WITNESS: Intumescent. It's actually in here
19 in my -- it's i-n-t-u-m-e-s-c-e-n-t.

20 THE REPORTER: Thank you. I'm sorry.

21 THE WITNESS: Oh, no worries. Please ask away.

22 Q. (By Ms. Holoubek) And did you also use drywall in
23 fire assemblies for Type V-A buildings?

24 A. We do; yes, ma'am. Regularly it's one layer
25 everywhere, right.

1 Now, every once in awhile you will see where two
2 layers are required because of a certain opinion of a building
3 designer or building official -- which are also variables in the
4 equation.

5 Q. Do you recall about when the Mi-Tek FWH hanger came on
6 the market?

7 A. I'm not for absolutely certain. But, I do know when
8 we were involved in it, and it's actually the project that's in
9 that picture.

10 Q. And this is the picture on Page 4?

11 A. Yes, ma'am.

12 Q. And what was the time frame?

13 A. That's 2017.

14 Q. 2017, okay.

15 A. Yes.

16 Q. So 2017 was the first time that you had used the FWH
17 hanger?

18 A. Yes, ma'am.

19 Q. Okay. Are you familiar with Simpson's DU hanger?

20 A. I am.

21 Q. Do you recall about when you first used the Simpson DU
22 hanger?

23 A. No. No. But, it was a long time ago.

24 Q. Did you ever use the Simpson DU hanger --

25 MR. SCHROEDER: I want to object; outside the

1 scope.

2 But, you may answer.

3 A. We've used every kind of hanger they make. I've gone
4 to Brea and picked them up.

5 Q. (By Ms. Holoubek) Got it. So was it common to use
6 joist hangers when you were building firewall assemblies even
7 before you started using the FWH hanger?

8 MR. SCHROEDER: Objection; form.

9 You may answer.

10 A. Yes. Hangers come up.

11 Q. (By Ms. Holoubek) Okay. So before the FWH hanger
12 came out what kind of hangers did you use for drywall
13 installation or -- sorry, let me scratch that.

14 What kind of hangers did you use for firewall
15 installation?

16 MR. SCHROEDER: Objection; vague.

17 You may answer.

18 MS. HOLOUBEK: I tell you what, I will rephrase
19 that question since it was misspoken there.

20 Q. (By Ms. Holoubek) Prior to the FWH hanger what kind
21 of joist hangers did you use in firewall installation?

22 A. Well, that's sort of the crux of the problem, isn't
23 it, right.

24 We have lateral load issues where we are -- you have
25 uplift here. You have wind; pulls things off the ground. Earth

1 moves mostly where we are mostly, right.

2 And under lateral load if there are -- if you are
3 allowed to place things like drywall in between two structural
4 members and then the earth starts to move and the drywall
5 crumbles you now have buffeting. And buffeting radically
6 increases the forces on the members, causes them to come apart.
7 That's what was learned in North Ridge, right.

8 And so in our world drywall can't be stuck between two
9 horizontal structural members. That's not an option, right.
10 And so a lot of assemblies don't work relative to that.

11 So what you would see is you'd see hangers over a beam
12 or hangers over a whatever, some vertical member, and then they
13 would have to figure out how to cobble the drywall around. And
14 then you'd have to get the member beefed up enough to where it
15 would meet the burn rating.

16 Q. The member being the structural beam?

17 A. In this picture -- in this picture it's a floor joist
18 for example, right.

19 So you couldn't have just one little vertical web of
20 two by on the end. It would have to be a chunk of four by,
21 right. And then well, what do you do about the two by top and
22 bottom cords? They are not going to make the burn rating. You
23 understand? There was just these massive problems.

24 So what you generally had was you would go to lowering
25 the horizontal structure -- or the vertical structure and

1 extending the horizontal structure so they would bear on top,
2 right. Because then you could beef that whole thing up.

3 And that creates all kinds of challenges -- and I kind
4 of touch on that in my language here, right. So those were just
5 ongoing problems, right.

6 Q. So I want to go back to your example where you said
7 you would cobble the drywall around the hanger.

8 In that example you would complete your framing?

9 A. Uh-huh.

10 Q. And then you would --

11 A. Sometime later, yes, ma'am.

12 Q. Sometime --

13 A. Put the drywall up later.

14 Q. Okay. Let's just go in order. So when you're framing
15 a building you would complete the framing of the building.

16 Is that right?

17 A. Uh-huh.

18 Q. And that would include the installation of the hangers
19 with the joists or trusses.

20 Is that right?

21 A. Yes, ma'am.

22 Q. And then you would at a later point go in and install
23 the drywall?

24 A. Uh-huh. Yes, ma'am. I'm sorry.

25 Q. That's all right.

1 So would you cut a sheet of drywall around the hanger?

2 A. Yes, ma'am. And the member.

3 And, again, you can sort of visualize how this sort of
4 becomes a Swiss cheese. But, it's supposed to be a fire rated
5 assembly.

6 So then you're fire caulking in your -- like there is
7 just a tremendous amount of effort and precision that goes into
8 trying to... I would like to think it as precision. Sometimes
9 it's not very pretty, right. Because you're patching all this
10 stuff in and trying to get to where okay, that's going to meet
11 the requirement, right -- which was laborious and wasteful and
12 time consuming, right.

13 Q. But, at the end of the day you were able to meet the
14 fire rating requirement.

15 Is that correct?

16 A. Yes, ma'am.

17 Q. Okay. With the FWH hanger don't you still have a
18 penetration into the drywall?

19 A. It's a little narrow piece of metal.

20 Q. What does that mean?

21 A. So the way the hanger is formed they take the -- it's
22 bent pieces of, I don't know what it is. Fifteen gauge, sixteen
23 gauge, whatever that is. And then they bend them. They turn
24 together and then they then turn and make the flange.

25 You can sort of see it in this picture if it is -- you

1 need a microscope or a magnifying glass.

2 So the drywall actually just notches around that piece
3 of metal so it is super clean, it's super simple, right.

4 And the package includes this little template thing so
5 the guys can place the template, make the cut, and they just
6 slide the drywall up.

7 Q. Okay. And so do you think that shape with the thin --

8 A. Thin or whatever.

9 MR. SCHROEDER: Objection; outside the scope.

10 Q. (By Ms. Holoubek) Or whatever you're calling it.

11 A. Okay.

12 Q. Sorry. And just for the Court reporter let's not talk
13 over each other.

14 A. Sorry.

15 Q. That's okay. Did you call it a thin piece that sticks
16 out from the joist to the hanger portion?

17 A. Yes, ma'am. I'm sure it has some other name, right.

18 But, it's a little thin chunk of two pieces of metal
19 that's bent, right. And then so they make the back of the
20 hanger. They're formed, they're bent together. And then they
21 make the face of the flange that hangs on the structure, right.

22 Q. So you think the fact that those thins are really
23 close together, is that important?

24 MR. SCHROEDER: Objection; outside the scope.

25 THE WITNESS: What do we do now?

1 Q. (By Ms. Holoubek) Well, you can answer.

2 MR. SCHROEDER: I can't stop you from answering.
3 It's not a privilege objection, so...

4 THE WITNESS: Okay.

5 A. I think it's -- well, it's really kind of crazy to
6 look at.

7 But, it's very valuable in terms of the simplicity of
8 how the rest of the construction can work around it, right.

9 Q. (By Ms. Holoubek) When you say it's very valuable do
10 you mean the --

11 A. The way this hanger is designed it's unique. There is
12 not a -- everybody looks at it and goes what in the world is
13 that, right?

14 And the way that it facilitates the application of --
15 not only the way the drywall actually gets installed, but the
16 fact that that thing can support those kinds of loads, right, is
17 very unusual.

18 Q. Is it unusual because of how narrow that slot is?

19 A. Yeah. You look at that little skinny piece of metal
20 and everybody goes no way, right. Everybody looks at them that
21 way. Like that's -- invariably you hand them to a joister
22 that's never seen them and they're like what's that? It's okay,
23 we've already been through this, you're cool, keep going, right.

24 Q. And so it works with the drywall because you're just
25 cutting a very narrow slot in the drywall.

1 Is that right?

2 MR. SCHROEDER: Objection; outside the scope.

3 A. Yeah. I suppose yes is an answer.

4 Because there's room for the drywall to slide through
5 and then all you have to do is make a small cut into the
6 drywall.

7 That's extremely efficient in terms of labor. There
8 is no -- there is very little go back, right. It's very, very
9 efficient.

10 Q. (By Ms. Holoubek) Would it be an issue if you cut the
11 opening bigger than --

12 A. That's what we've always been dealing with, right.
13 And so there will be -- there is always going to be an ancillary
14 process or an additional process called fire caulk at those
15 assemblies. And so that may or may not come up.

16 But, what we see, what I have seen in my experience is
17 that it's just very clean.

18 Q. Okay.

19 A. Over-cuts can be a problem with whomever. Plumbers
20 and chainsaws you might think of.

21 Q. So even with the FWH hanger you have to go back and
22 fire caulk?

23 A. There will always be -- if you have fire rated
24 assemblies there will always be individuals of fire caulking.
25 There is going to be electricians punching holes. There is

1 going to be low voltage guys punching holes. There is going to
2 be fire sprinkler guys punching holes. And, again, today --
3 especially today with the degradation of the trade craft --
4 those holes get bigger and bigger and bigger, right. So that's
5 a function that's not going away.

6 Q. And when you're cutting the drywall to install around
7 the hanger is it a process of, you know, just identifying the
8 location, measuring it, and cutting it to slide it up?

9 How do you make sure that all the slots line up?

10 MR. SCHROEDER: Objection; outside the scope.

11 A. You measure them.

12 Q. (By Ms. Holoubek) Just making sure. So before the -
13 scratch that.

14 So what local building codes are you familiar with?

15 In Paragraph 5 you note that local building codes
16 require firewall assemblies.

17 So what local building codes are those?

18 A. Well, we're -- generally speaking we're under the UBC.

19 And so the first time I remember being involved in a
20 conversation about fire codes was I think '96 -- building and
21 fire codes. Because suddenly all these PHD Simpson straps
22 started showing up poking out of foundations, and there were
23 dozens more than there had ever been before, right. You'd see
24 these concrete slabs poured. And we were supposed to go out
25 there and start laying out these houses and all of the sudden

1 there were these straps sticking out everywhere. And that was
2 a --

3 Q. What do you mean by straps?

4 A. They are a metal. In those cases they were pretty
5 heavy, so probably sixteen gauge or fourteen gauge. And they're
6 two and a half inches wide and they've got dual rolls of nail
7 holes, and they're poured with a bend in them that goes down
8 into the poured concrete and they stick up.

9 And then once the wall is framed with a post centered
10 in that location, generally speaking, then the exterior plywood
11 or shear panel would be applied and then the straps get bent
12 over and nailed up, right.

13 And so magically overnight all the sudden all these
14 straps started showing up and what's that about, right? And
15 then in '97 there were some pretty significant -- for the '97
16 building code there were pretty significant changes.

17 So several of the large structural engineering firms
18 -- Borum and Gouvis -- hold interpretation meetings and summer
19 review meetings of the code changes, and a bunch of us got to go
20 and sit in their offices and learn about all the various impacts
21 and the new updates.

22 Q. Was it required in the local codes that framing
23 typically be completed before drywall would go in?

24 A. There may or may not be language like that, right.

25 One of the challenges -- and you know this in law.

1 One of the challenges is all the answers aren't in one
2 paragraph, right.

3 So, for example, if you are looking to resolve
4 questions about a stairway you have to look where decks are, you
5 have to look where hallways are, right, because they sprinkle
6 bits and chunks of information in all kinds of other places,
7 right. So there may be information like that.

8 But, generally speaking the issue is more pragmatic in
9 terms of what works and what doesn't, right. And with your
10 legal background I'm sure you remember the era "mold is gold".

11 So with respect to that there is a lot of applications
12 where you just try to avoid certain things that might create
13 liabilities for everyone later down the line, right.

14 Q. You mean like mold issues with drywall?

15 A. We're going to try to not encapsulate things that are
16 going to turn into fungus.

17 Q. Always a good plan. And so would you say it was
18 pretty common for framing to be complete before drywall was
19 installed?

20 MR. SCHROEDER: Objection; outside the scope.

21 You may answer.

22 A. In general yes.

23 Q. (By Ms. Holoubek) Okay. And going back to your
24 comment about the building code having different sections are
25 you saying that while the fire code section might have some

1 requirements there could be requirements in other sections that
2 also might need to be applied to a building?

3 A. Yes, ma'am. There's health and safety in all, you
4 know. There's a -- and then the fire guys get involved, right.

5 One of the great joys of doing this is figuring out
6 who all you have to answer to, right, and make the appropriate
7 interpretations such that you're complying, right.

8 Q. Are there inspectors that come by when certain stages
9 are complete?

10 A. Yes, ma'am.

11 Q. Do the framing inspectors usually come by before
12 drywall goes in?

13 A. They're around before and after. It's, generally
14 speaking, the same inspectors.

15 Q. Okay. So in Paragraph 6 of your declaration you
16 mention that there is two ways to achieve fire rating: Gypsum
17 board and applying intumescent paint.

18 Is that correct?

19 A. Yes. And there is -- arguably there is more than
20 that. But, in general those are the two we see the most.

21 Q. What are some other ways to achieve fire rating?

22 A. Heavier timber.

23 Q. Okay. Would you often use gypsum board and
24 intumescent paint in the same construction?

25 A. It's possible. Super rare. Right.

1 You come down to sequencing and work flows and the
2 economics of all those things, right.

3 Q. In Paragraph 7 you refer to intumescent paint.

4 Is intumescent paint ever used on wood?

5 A. I have never seen it. It's generally for steel.

6 Q. Okay. When used with steel about how long does it
7 take for intumescent paint to be sprayed on a wall?

8 A. I laughed. Sorry. That's a moving target.

9 Q. In what way?

10 A. So as I mention here in the scope of projects large
11 enough with steel to where the economics would cause you to
12 choose to apply intumescent paint then there is a significant
13 element of sequencing that gets added. That stuff goes
14 everywhere, so you are going to tarp the entire slab. For
15 example, you're going to get all the vertical members of a given
16 phase of the building up and then you're going to tarp
17 everything and tape it all off. And that means no one else is
18 working in that entire footprint for some fixed period of time.

19 And then well, what if it rains? There's cure times,
20 right. There's thicknesses that have to be -- that are
21 required. And there is a special inspector for the thicknesses,
22 right, and their interpretation of the manufacturer's spec and
23 the code, right.

24 Again, those things aren't fixed like you would like
25 them to be, right. And very often you'll have -- as one of the

1 possible variables is the inspector will say I know but I don't
2 care. And we're going to do more, right.

3 So you might project that -- say you have ten steel
4 columns in the initial phase of installation and you tarp the
5 site and you have seven days, seven working days in your
6 schedule blocked out to complete that scope of work, and it goes
7 thirteen, right. Because, because, because.

8 Q. Right. And then you have to continue re-scheduling?

9 A. And the owner is the one trying to figure out -- and
10 anyone else that's involved in the equation is trying to figure
11 out how to make all that work, right. So there is quite a
12 number of challenges that come with that, right.

13 There are less unknowns in my experience with the
14 drywall version. It's that fixed sheet and we install it,
15 right. Or we rip a strip and we install it, right.

16 And those can in a lot of cases be -- it's sort of the
17 metaphor of death by a thousand cuts. You are going to have
18 more interplay with your schedule relative to those types of
19 installations instead of one big blanket spray, so to speak.

20 But, they're in some ways less in front impactful,
21 right. Like I can just factor those guys in while those guys
22 are working so at least we're still making hay while the sun
23 shines. We're still producing a building instead of everything
24 is dead until those guys get out of here and they're still here,
25 right.

1 Q. So if intumescent paint isn't used in wood does that
2 mean drywall is the primary fire resistive barrier?

3 A. Yes, ma'am. It's the most -- it's the go-to, right.
4 And, again, I mentioned earlier if fire rated timber is another
5 answer. But, typically for us what happens is the material gets
6 milled and shipped to us from the Pacific northwest off the
7 Columbia River, as an example. It arrives in San Diego. There
8 is no forests in San Diego, right. Then our timber guys will
9 select it, put it on a truck, on a rail car, on a barge, send it
10 back, they fire treat it. So quite often it will be like a
11 twelve week lead time. It's a long process, right.

12 Q. So using gypsum wall board is much more straight
13 forward than fire rated?

14 A. There's warehouses full of drywall right now.

15 THE REPORTER: I'm sorry, there's --

16 THE WITNESS: There's warehouses full of drywall
17 in San Diego right now.

18 Q. (By Ms. Holoubek) So it's more common to use drywall
19 than fire treated lumber?

20 A. If you can, right. So for example, if you have a six
21 by exposed timber on the outside of a building wrapping it in
22 drywall is still not an option because they want to see the
23 wood. That may be fire treated depending upon what else is
24 going on.

25 Q. But, otherwise you're using the gypsum?

1 A. Yes, ma'am.

2 Q. How long has gypsum wall board been used in fire
3 barriers?

4 MR. SCHROEDER: Objection; outside the scope.

5 A. Can't say. But, I can say that wall -- drywall --
6 that word dry is relative to a change or a move away from
7 plaster. And that occurred sometime around the Baby Boom.

8 Q. (By Ms. Holoubek) So like the nineteen fifties?

9 A. Yes, ma'am. Somewhere in there, right. They had to
10 start figuring out to produce homes faster because suddenly
11 there was a massive demand for homes. Most of the production
12 techniques we use are relative to the Baby Boom.

13 Q. And in your experience would you say the large
14 majority of your fire rated wall assemblies use drywall?

15 A. Yes.

16 Q. In Paragraph 8, this is now on Page 3, you refer to
17 installing drop beams. What is a drop beam?

18 A. I discussed that just a moment ago when I said -- so
19 commonly what we would have to do is we would have to lower the
20 vertical support member and then we would have to extend the
21 horizontal, or the floor joist, right, and put it on top of the
22 thing.

23 So a drop beam would be a -- a flush beam would be
24 what you see in the picture would be when the beam is pulled up
25 flush to the sheathing, so to speak, or as close as we can get

1 it. And the drop beam means it's going to be under the members
2 and the members are going to pass over.

3 Q. Okay. I see. So when you refer to beam you're
4 talking about the portion of the wall and then the -- I'm sorry.
5 I'm to figure out which is --

6 A. That piece of steel right there in the picture
7 (indicating).

8 Q. Yes.

9 A. So that big red primer piece that's a steel beam,
10 that's a W-beam.

11 Q. Okay. Right.

12 A. And then it's supporting these joists that are run
13 perpendicular to it.

14 Q. Okay. And in that figure -- so the drop beam is the
15 steel piece.

16 Is that correct?

17 A. Yes, ma'am.

18 Q. Okay. I was trying to get the relationship between
19 which was the beam and which was the member.

20 A. Right. So this is a flush beam.

21 Now, imagine what would happen to the space underneath
22 that beam if I had to drop it and pull the trusses over the top.
23 Suddenly I have this massive height problem underneath, right.
24 So whatever clearances I needed I can't get because the beam has
25 to be dropped for the trusses to sit on top, right. If the

1 trusses are fourteen inches deep now the beam is fourteen inches
2 plus got to lower it.

3 So a flush beam is for a lot of -- for a lot of other
4 needs, right, that's a better answer, right. That's not that we
5 don't use drop beams in a number of places, right.

6 It's just every choice you make is a series of
7 concessions. I'm going to give this up to get that, right. So
8 this particular scenario is advantageous for a bunch of reasons,
9 generally aesthetic and height and things like that.

10 Q. Okay. And does the word flush come between because
11 the top surfaces of each are essentially flush?

12 A. Yes, ma'am.

13 Q. And in Paragraph 8 you also refer to additional
14 framing elements. What are the additional framing elements that
15 you're mentioning?

16 A. So sometimes it's dropped walls, right. Varying
17 configuration changes so that I can get the timber rating up,
18 the value of the dimensions of the timber up so that what
19 patchwork of drywall that we could apply later would do the job,
20 right. That thing is sticking out so it's got to be heavier.

21 Q. I'm sorry, what do you mean?

22 A. So the intent with a fire rated assembly using drywall
23 is you encapsulate the stuff that can burn inside the fire
24 treated drywall or Type X or DensGlass or whatever.

25 Well, in those complex scenarios, where right, well,

1 then that joist is sticking out so now I have to make that end
2 -- as we discussed earlier, I would have to make the end of that
3 thing heavier so that it had a higher burn rating because it's
4 sticking out of the drywall. It's not encapsulated, right.

5 So you might find it motivating to try to find ways to
6 stick things behind drywall.

7 Q. Got it. And did you do that, you know, all throughout
8 building firewalls?

9 A. You invariably have something sticking out that you
10 have to find another way to deal with, right. And so this has
11 been a longstanding challenge as long as I have been involved in
12 the trade.

13 Q. So about how many firewalls would you say that you've
14 built using the FWH hanger?

15 A. That's a good question. I don't have ready data in
16 hand. It's probably more than a dozen. But, I didn't go back
17 and do a bunch of study to figure out how many times we used
18 them.

19 Q. Okay. In Paragraph 11 you mention that a roof weather
20 barrier must be completed before drywall installation can begin.

21 Is that correct?

22 A. You've highlighted the word must, right. So, again,
23 this is good practice. If I don't want to encapsulate moisture
24 in the building I want to get a vapor barrier up on top of the
25 building first, right.

1 Wind blown rain is an issue, but if we tried to get
2 the whole building wrapped before we did anything else you would
3 be financing a whole lot longer a project, right.

4 So one of the best possible things we can do is get
5 the roof tight and then go, right. As it -- the expression
6 might go if you're traveling through purgatory don't slow down.

7 Q. So in most situations you're completing the roof
8 before you're putting in drywall.

9 Is that correct?

10 A. Attempting to. The dry-in part of it, right.

11 Completing the roof is a different conversation
12 because there may be dozens of components that are involved in
13 completing the roof. But, we want to get the moisture barrier,
14 right -- whether that's roof paper or whatever -- we want to get
15 some kind of dry.

16 We must find a way to get that thing dried in before
17 we start putting stuff inside or we can encapsulate rain water,
18 right.

19 Q. Right. And when you say before you start putting
20 stuff inside do you mean before you start putting drywall
21 inside?

22 A. Insulation and -- yeah. Yes, ma'am.

23 Q. Okay.

24 A. I'm sorry, I talked over you.

25 Q. That's okay. She'll tell us.

1 A. She's going to kick me.

2 Q. So in -- I'm sorry. We've already covered some of the
3 things in the picture here.

4 In the picture on Page 4 of your declaration it shows
5 wooden top nailers on top of the I-beam.

6 Is that correct?

7 A. Yes, ma'am.

8 Q. How are the top nailers connected to the I-beam?

9 A. Typically it's a Nelson stud. It's a welded threaded
10 piece of rod that's welded to the top of the beam, and then you
11 drill holes in -- in these cases it's two and a half thick or
12 three by nailers and you measure the locations of those, drill
13 the holes, then slide the nailers over and bolt them down.

14 Q. And in this type of set-up where you do have steel and
15 wood is it common for drywall to be installed over the I-beams?

16 A. The actual requirement is that those I-beams have a
17 fire rating of some kind, right. So you're either going to
18 spray with paint or wrap it in drywall. Yes, ma'am.

19 Q. Okay. And then in Paragraph 14 you mention that
20 because of the FWH the drywallers could install a lower cost
21 double layer of five-eighths inch Type X board.

22 Is there -- are there more expensive versions --

23 A. Yes, ma'am.

24 Q. -- of drywall?

25 A. Yes, ma'am.

1 Q. So what's the difference between the lower cost
2 version and the more expensive versions of drywall?

3 A. Well, some smart fellows started coming up with other
4 brands like, as I mentioned, DensGlass here -- that's actually a
5 brand name, right. I may not have capitalized things right.
6 But, there is DensGlass and DensShield as an example. Those are
7 the most common. And they have other treatments that have been
8 applied to them. And they may have fiber mesh on them; I don't
9 know all the specifics of what they've done. And whereas Type X
10 is the original -- and I don't know what they did to that. But,
11 that's the name that we recognize for fire rated drywall.
12 That's sort of the baseline for us.

13 Q. Okay. And then in Paragraph 15 you say that you've
14 been willing to pay more for the FWH hanger.

15 What is the more in comparison to?

16 A. Well, in particular it might be thirty dollars a
17 hanger, right.

18 Q. And so that thirty dollars a hanger is for the FWH
19 hanger?

20 A. Yes, ma'am.

21 Q. So what would another joist hanger cost that you might
22 use in place of the FWH?

23 A. Well, in this case the hangers that we would likely
24 use in that location, right, would be a top flange HU, right.
25 And they might have -- at that time might have been ten dollars

1 apiece whereas these might be forty dollars apiece, right.

2 Q. Okay. And if you used the HU hangers you would
3 complete the framing.

4 Is that right?

5 A. Uh-huh.

6 Q. And then you would cut holes in the drywall and
7 then --

8 A. You would have a patchwork quilt going on at some
9 point. Yes, ma'am.

10 Q. So you would cut the openings for the hangers in the
11 drywall and slide the drywall into place?

12 A. Yes, ma'am.

13 Q. Okay.

14 MR. SCHROEDER: I do want to object that there
15 was some vagueness to that question, but I didn't get it on at
16 the time.

17 MS. HOLOUBEK: Sorry. Okay.

18 MS. HOLOUBEK: We've been going for about an
19 hour. How about we take a break, maybe like fifteen minutes?

20 MR. SCHROEDER: All right.

21 (Discussion was had off the record.)

22 Q. (By Ms. Holoubek) Welcome back, Mr. Holmes.

23 Did you speak to anyone about the subject matter of
24 this deposition during our break just now?

25 A. No, ma'am. Nearly stumbled.

1 Q. Glad you didn't.

2 MR. SCHROEDER: I may have had to remind him.

3 MS. HOLOUBEK: Thank you.

4 THE WITNESS: I'm sorry, my mind is busy. I
5 think you can relate.

6 MR. SCHROEDER: That's okay. Understood.

7 Q. (By Ms. Holoubek) Understood. Understood.

8 I just had a couple of questions actually about the
9 example that you reference in Paragraph 13. This is the
10 fifty-five thousand square foot two story senior center.

11 A. Which is actually that photo as well.

12 Q. Yes. Was that a Type III construction?

13 A. Turns out it was Type V-A.

14 Q. Okay. So does that mean that it only had one hour
15 fire rated walls?

16 A. And then we ended up with the situation where, because
17 of the interpretation of a particular change to a UL rating, we
18 had double layers of drywall around a bunch of steel.

19 Q. So even though it was a Type V-A you still had two
20 layers of drywall?

21 A. Because the world is not simple like that.

22 Q. So that was a yes there?

23 A. Yes, ma'am.

24 Q. Okay. But, typically V-A construction would only
25 require one layer of drywall.

1 Is that right?

2 A. To our frustration, yes, ma'am.

3 Q. Do you also use FWH hangers in Type V-A construction?

4 A. When it comes up like this, yes.

5 Q. Okay. When you say like this what do you mean?

6 A. Similar where suddenly there is a double layer
7 assembly that doesn't really belong in the building, but because
8 of interpretation by a building designer and or building
9 officials they go yeah, well, we don't care, you're using that
10 anyway, right. And then the customer is going really, I have to
11 finance that, too?

12 Q. So you don't use FWH hangers with a one hour firewall.
13 Is that correct?

14 A. Not that I can recall.

15 Q. Not that you can recall that you used them?

16 A. Right.

17 Q. Okay.

18 MS. HOLOUBEK: I have no other questions.

19 I'll pass the witness over to Mr. Schroeder.

20 MR. SCHROEDER: I have no further questions.

21 MS. HOLOUBEK: Okay. You are done for the day.

22 THE REPORTER: What would you like to do
23 regarding signature?

24 MR. SCHROEDER: We typically prefer to review and
25 sign.

(Witness was excused and signature not waived.)

(Deposition concluded at 10:28 a.m.)

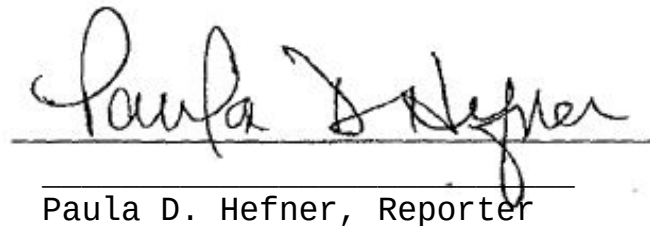
CERTIFIED REPORTER'S CERTIFICATE
RSMo 492.010

I, Paula D. Hefner, a Registered Merit Reporter and
Certified Court Reporter, within and for the State of Missouri,
do hereby certify that there came before me on JULY 22nd, 2025
at the Stinston, LLP, 7700 Forsyth Boulevard, Suite 1100, St.
Louis, Missouri 63105,

RYAN HOLMES,

who was by me first duly sworn to testify to the truth of all
knowledge touching and concerning the matters in controversy in
this cause; that the witness was thereupon carefully examined
under oath, and said examination was reduced to writing by me,
according to my best knowledge and belief; and that this
deposition is a true and correct record of the testimony given
by the witness, and said deposition is herewith returned to
MICHELLE K. HOLOUBEK, ESQ., Sterne Kessler, 1101 K. Street NW,
10th Floor, Washington, DC 20005 for filing with the court.

I further certify that I am neither attorney nor
counsel for, nor related nor employed by any of the parties
hereto, or financially interested in this action.



Paula D. Hefner, Reporter

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SIMPSON STRONG-TIE COMPANY, INC.
Petitioner.

vs.

COLUMBIA INSURANCE COMPANY.
Patent Owner.

Case PGR2024-00050.
Patent No. 11,920,399

CERTIFICATE OF DEPOSITION

Comes now Paula D. Hefner and pursuant to Rule 57.03(g)(2)(a) states as follows:

The deposition of RYAN HOLMES was taken on JULY 22nd, 2025. The name and address of person or firm having custody of the original transcript:

MICHELLE K. HOLOUBEK, ESQ.
Sterne Kessler
1101 K. Street NW, 10th Floor
Washington, DC 20005.

At the time of delivery of the transcript the deposition charges had not been paid. Payment status will be updated at the request of the Court pursuant to Section 492.590(2) RSMo.



Paula D. Hefner

LEXITAS LITIGATION SERVICES
711 N. 11th Street
St. Louis, Missouri 63101
(800) 280-3376

1 JULY 24th, 2025
2

3 JOHN R. SCHROEDER, ESQ.
4 Stinson, LLP
5 7700 Forsyth Blvd, Suite 1100
6 St. Louis, Missouri 63105-1821

6 DEPOSITION OF: RYAN HOLMES

7 Dear Mr. Schroeder:

8 Please find enclosed your copy of the deposition of RYAN HOLMES
9 taken on JULY 22nd, 2025 in the above referenced case. Also
enclosed is the original signature page and errata sheet.

10 Please have the witness read your copy of the transcript,
11 indicate any changes and/or corrections desired on the errata
sheet, and sign the signature page before a notary public.

12 Please return the executed signature page and errata sheet
13 within 30 days after receiving the transcript.

14 Thank you for your attention to this matter.

15 Sincerely,

16 
17
18

19 Paula D. Hefner
20
21
22
23
24
25

ERRATA SHEET

Witness: RYAN HOLMES

DEPOSITION OF: RYAN HOLMES

Date Taken: JULY 22nd, 2025

Page #_____ Line #_____

Should read: _____

Reason for change: _____

Page #_____ Line #_____

Should read: _____

Reason for change: _____

Page #_____ Line #_____

Should read: _____

Reason for change: _____

Page #_____ Line #_____

Should read: _____

Reason for change: _____

Page #_____ Line #_____

Should read: _____

Reason for change: _____

Page #_____ Line #_____

Should read: _____

Reason for change: _____

Witness Signature: _____

1 STATE OF)
2 COUNTY OF)

3 I, RYAN HOLMES, do hereby certify:

4 That I have read the foregoing deposition; that I have
5 made such changes in form and/or substance to the deposition as
6 might be necessary to render the same true and correct; that
7 having made such changes thereon, I hereby subscribe my name to
8 the deposition. I declare, under penalty of perjury, that the
9 foregoing is true and correct.

10 Executed this ____ day of _____, 2025,
11 at _____.

12
13
14 _____
15 RYAN HOLMES
16

17 Before me this ____ day of _____, 2025
18 personally appeared the above named individual.
19

20
21 _____
22 Notary Public

23 My Commission expires: _____
24
25

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