

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

MIDWEST ENERGY EMISSIONS)
CORP. and MES INC.,)
)
Plaintiffs,)
)
v.) Civil Action No. 19-1334-CJB
)
ARTHUR J. GALLAGHER & CO., et al.,)
)
Defendants.)

NON-FINAL JUDGMENT FOLLOWING JURY VERDICT

This 8th day of March, 2024, the Court having held a jury trial and the jury having rendered a unanimous verdict on March 1, 2024, (*see* D.I. 692), pursuant to Rule 58(b) of the Federal Rules of Civil Procedure, IT IS HEREBY ORDERED that:

1. Judgment is hereby entered in favor of Plaintiffs Midwest Energy Emissions Corp. and MES Inc. (“Plaintiffs”) and against Defendants CERT Operations RCB LLC, Senescence Energy Products LLC, Bascobert (A) Holdings LLC, Larkwood Energy LLC, Rutledge Products LLC, Cottbus Associates LLC, CERT Operations II LLC, Marquis Industrial Company LLC, CERT Operations IV LLC, Springhill Resources LLC, CERT Operations V LLC, and Buffington Partners LLC (collectively, “CERT”) that CERT induced infringement of claims 25 and 26 of U.S. Patent No. 10,343,114 and claims 1 and 2 of U.S. Patent No. 10,596,517;

2. Judgment is hereby entered in favor of Plaintiffs and against Defendants Senescence Energy Products LLC, Bascobert (A) Holdings LLC, Larkwood Energy LLC, Rutledge Products LLC, Cottbus Associates LLC, Marquis Industrial Company LLC, Springhill Resources LLC, and Buffington Partners LLC that these specific Defendants contributed to infringement of claims 25 and 26 of U.S. Patent No. 10,343,114 and claims 1 and 2 of U.S. Patent No. 10,596,517;

3. Judgment is hereby entered in favor of Plaintiffs and against CERT that CERT willfully infringed claims 25 and 26 of U.S. Patent No. 10,343,114 and claims 1 and 2 of U.S. Patent No. 10,596,517;

4. Judgment is hereby entered in favor of Plaintiffs and against CERT that all claims of U.S. Patent Nos. 10,343,114 and 10,596,517 are not invalid; and

5. Judgment is hereby entered in favor of Plaintiffs and against CERT for damages in the amounts provided below, subject to fees and enhancement under 35 U.S.C. § 284, motions for which may be subsequently brought and relief awarded:

| Defendants | Amount |
|--|---------------|
| CERT Operations RCB LLC, for the amount of: | \$35,341,918 |
| Senescence Energy Products LLC, for the amount of: | \$2,129,349 |
| Bascobert (A) Holdings LLC, for the amount of: | \$1,296,829 |
| Larkwood Energy LLC, for the amount of: | \$20,017,888 |
| Rutledge Products LLC, for the amount of: | \$615,338 |
| Cottbus Associates LLC, for the amount of: | \$11,282,514 |
| CERT Operations II LLC, for the amount of: | \$11,119,113 |
| Marquis Industrial Company LLC, for the amount of: | \$11,119,113 |
| CERT Operations IV LLC, for the amount of: | \$447,025 |
| Springhill Resources LLC, for the amount of: | \$447,025 |
| CERT Operations V LLC, for the amount of: | \$10,173,949 |
| Buffington Partners LLC, for the amount of: | \$10,173,949 |

This judgment is subject to modification based on the Court's ruling on the parties' post-trial motions brought under Fed. R. Civ. P. 50, 54, 59, and 35 U.S.C. §§ 284, 285.

Dated: March 8, 2024



Christopher J. Burke
UNITED STATES MAGISTRATE JUDGE